

The National Archives
National Archives and Records Administration
Washington: 1992

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS,
MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE
FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

On the 54 rolls of this microfilm publication, M1650, are reproduced applications for enrollment in the Five Civilized Tribes under the act of June 10, 1896. These applications, housed in the National Archives-Southwest Region, Fort Worth, Texas, were maintained by the Muskogee Area Office and are part of Records of the Bureau of Indian Affairs, Record Group 75.

Background

On March 3, 1893, Congress authorized the establishment of a commission to negotiate agreements with each of the Five Civilized Tribes--Cherokee, Chickasaw, Choctaw, Creek, and Seminole. The Dawes Commission, named for its chairman, Senator Henry Dawes of Massachusetts, undertook the compilation of a complete Indian census that could be used as the basis for the allotment of tribal lands to individual Indians.

Prior to 1896, the tribes exercised sole jurisdiction over tribal citizenship, but in that year Congress passed an act allowing the Commission to hear and "determine the applications of all persons who may apply to them for citizenship and...determine the right of such applicant to be admitted and enrolled." The Dawes Commission issued notices on July 8, 1896, announcing that it would accept applications for citizenship until September 10, 1896. The application had to be a signed and sworn statement containing all the facts supporting the claim, and the applicant had to provide proof that a copy had been furnished to the tribal chief. Congress required the Commission to make its decision within 90 days of receipt of the application and authorized an appeal process through the recently established U. S. Court in Indian Territory.

The application and appeal process had been underway for two years when Congress passed the Curtis Act on June 28, 1898, (30 Stat. 495). The act authorized the Commission to prepare for each tribe new citizenship rolls that incorporated names

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of successful applicants. This "Final Roll" became the only roll used for allotment purposes.

Records Description

This microfilm publication comprises the applications for enrollment of Cherokees, Chickasaws, Choctaws, and Creeks, as well as those of former slaves (freedmen) of the Chickasaw and Choctaw tribes. The National Archives has not located any Seminole applications. Applicants to the Commission included Indians by blood; spouses of Indians, although the spouses themselves were not Indians by blood; and freedmen who had formerly belonged to members of the Five Civilized Tribes.

When they were in active use, most applications were filed numerically according to application numbers assigned by the Commission. Applications from Chickasaw and Choctaw freedmen were filed separately from those of other applicants for citizenship in the two tribes. The Commission maintained some applications, called Choctaw-Chickasaw Duplicates, in alphabetical arrangement. Despite their title, these files do not duplicate any of the applications filed numerically.

To facilitate access to the numerically-filed applications, the Commission prepared several indexes. These have been consolidated into one index and are reproduced on roll 1 of this publication.

Typical application files include supporting affidavits, depositions, letters, memorials, answers of tribal attorneys objecting to enrollment, lists of evidence, and receipts for service of papers. Also included are notices of appeal to the U.S. Court in Indian Territory at either South McAlester or Ardmore and a reference to the case number assigned by the court. While several files contain only a receipt for papers signed by the Clerk of the U.S. Court, a few files document in greater detail the applicant's life. Occasionally there are marriage licenses, photographs, and judgments issued by the U. S. court. Some records provide background information on the applicant including name, post office address, age, degree of blood, lists of children and their ages, and other relatives. Every

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document within the application files has been microfilmed.

On the last roll of microfilm are miscellaneous files and applications that were received too late for consideration. These records are not included in the index on roll 1.

Related Records

Related records are found in other series within the Bureau of Indian Affairs, RG 75. The Final Rolls, also known as the "Dawes Rolls," have been reproduced as Enrollment Cards for the Five Civilized Tribes, 1898-1914 (M1186). These enrollment cards include both individuals with tribal citizenship before 1896 and those who were approved for citizenship by the Dawes Commission. The applications for enrollment on the Final Rolls have been reproduced as Applications for Enrollment of the Commission to the Five Civilized Tribes, 1898-1914 (M1301). Records relating to enrollment and allotment for the Five Civilized Tribes, including appeals to the U. S. Court in Indian Territory and cases heard before the Choctaw-Chickasaw Citizenship Court in Tishomingo and McAlester, are housed at the National Archives-Southwest Region (entries #60A-101, and 114-126). Related records for the Five Civilized Tribes are housed at the Oklahoma Historical Society, Oklahoma City.

Meg Hacker wrote these introductory remarks and prepared the records for filming. Volunteers at the National Archives-Southwest Region created the consolidated index.

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS,
MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE
FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

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NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Roll 9

Target 1

Choctaw Applications 1306 - 1419

1896 choc 1306

1896 choc 1306

No. 1306

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

McMurray

VS.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED JOB PRINT FORT SMITH

2

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of

vs.

Nation, as follows:

Application

for

the

14

2

South Atlantic

Witness my hand and official seal at

this the day of

189

P. B. Jones

No 1306

M. C. Murray & Co.
Choctaw Nation

W. J. W.

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
G. R. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., *Feb'y 3* 1897.

To The honorable Dawes Commission,

Fort Smith, Ark.

Sir:

You are hereby notified that *The Choctaw Nation*
has taken an appeal to this court from the decision rendered by you
on the application of *M. O. Murray*
vs the Choctaw Nation, for enrollment as a citizen of said nation.

You will at the earliest time practicable, transmit
to this court a transcript of all the entries on your docket relat-
ing thereto, together with the original papers, depositions and tes-
timony therein, and your decision on said application.

Yours very respectfully.

P. B. Stoner
Clerk.

2

End

1896 Choc 1306 1/2

1896 Choc 1306 1/2

Before the Commission for the Five Civilized Tribes:

In the matter of the claim of William B. Odell ^{Citizenship Choctaw Nation} for ~~en~~rollment on
the roll to be prepared by the Commission for the Choctaw Nation as a
Citizenship roll for said Nation. ^{Citizenship Choctaw Nation}

The applicant William B. Odell would state for his claim ^Xfor ~~en~~rollment that his age is 42 years and that his Post Office is Cadde
Choctaw Nation I. T.

The applicant William B. Odell would also state that he is an
intermarried Citizen of the Choctaw Nation having married Mrs Lucy J.
Dedson (nee Turnbull) a Citizen of the Choctaw Nation by blood and wh-
ose name appears on the roll of Citizenship of said Nation as Lucy J.
Odell and that the wife of applicant did draw her Net Proceed money and
the Lease District money .

The applicant would state that he married on the 1st day of June
1884 in the State of Texas in accordance with the Laws of the State of
Texas as will be seen by a copy of marriage License and a certified
copy of the Marriage certificate filed herewith and made a part of this
application and marked "Exhibit A"

The applicant would ask the Commission to place him on the roll
to be prepared by them of the Choctaw Nation.

William B. Odell

Subscribed to and sworn before me on this the 29th day of Aug. 1896

J. P. Ruppel
Notar Public

STATE OF TEXAS
COUNTY.

To any Judge of the County or District Court, Regularly Licensed or Ordained
Minister of the Gospel, Jewish Rabbi or Justice of the Peace in and for said County of
Red River

CRIMINALS
YOU ARE HEREBY AUTHORIZED TO SOLEMNIZE THE
rites of MATRIMONY

Between *Mr. W. B. Odell*
and *Lucy Dodson*
and make due return to the Clerk of the County Court of said
County within sixty days thereafter certifying your action
under this License.

J. S. WITNESS my official signature and seal of
office at office in *Clarksburg* this
31st day of *May* A.D. 1884
H. P. Conley, Clerk
Deputy *County Court*

I James W. Moore hereby certify that
on the *1st* day of *June* A.D. 1884
I united in Marriage *W. B. Odell* and
Lucy J. Dodson the parties above named
Witness my hand this *3* day of *June* A.D. 1884
James W. Moore

Returned and Filed for Record the day of Aug 1899, and Recorded
the day of Aug 1899

I, J. Taylor, Com. County Court Red River
County, Texas, do hereby certify that the
within is a true and correct copy of
a marriage license issued to W. B. Odell
and Lucy J. Dodson together with the
certificate of James W. Moon the person
who solemnized the rites of Matrimony
between said parties as copied from
the records of said County, book 2, pg
425 Record of Marriages.

Given under my hand and
Seal of office this Aug 15th 1896.

1678
MAY
By
Pete
Cash

MARRIAGE LICENSE.

1678 **CINQUE 2**

By *[Signature]* **Deputy** *[Signature]*

Witnessed by *[Signature]* **Deputy** *[Signature]*

Attest: *[Signature]* **Deputy** *[Signature]*

Given under my hand and seal of office at New York City, this 1st day of May, 1908.

No. ~~25-70~~
1306 1/2

Wm. D. O'Neil

Choctaw Nation

Filed 7 Sept 1896
H.M. J. J. J. J. J.
C.R.

Enroll as Inter married
Citizen

W.D. O'Neil

William D. O'Neil
Choctaw Nation

Affidavit of M. R. Kelley to be read as evidence before the Commission
in behalf of William Odell for Citizenship in the Choctaw Nation.

The affiant after first being duly sworn deposes and says that his
age is 24 years and that his Post Office is Cadde I.T.

The affiant further states that he is well acquainted with the
applicant William B. Odell and his wife Lucy J. Odell she being my
half sister and a Choctaw Indian by blood and that he was present at
the marriage of William B. Odell and Mrs Lucy J. Dodson (nee Turnbull)
she having been married before and that her maiden name was Turnbull.

The affiant further state that they were married in the State of
Texas in the County of Red River.

M. R. Kelley

Subscribed and sworn to before me on this the 30th day of Aug. 1896

J. B. Pappeler
Notary Public.

✓

NO.....

CLAIM OF
William B. Odell

For Greater Citizenship

ANSWER.

1893

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF William B. O'Neil

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The claimant herein was born in the State of Ohio, and was married in the State of Ohio, and had a license from the State of Ohio, and acquired his citizenship in the Choctaw Nation.

This claim was filed on the 1st day of September, 1906.

The Choctaw Nation

By Stuart Gordon Harley
Its Attorneys.

End

1896 choc 1307

1896 choc 1307

Before the Commission
for the fire civilized
tribes

1841-75
1307

Filed Sept 9th - 1894

A S McKinnon

Richard M. Luff

Applicant

vs

Chickasaw Nation

Rejected

P. A. Atoha, S. T.

J. P. Connor
+
Cases Prot.
atty. v.

South Hollister, I. T. Sept. 4, 1880.

Received this day papers purporting to be copies in the claim of _____

Ruskel McDeff for Choctaw citizenship as follows:

Petition, on which ~~McDeff~~ ~~McDeff~~ and ~~McDeff~~ and affidavits of

Emma F. Tennant J. E. Lewis

Street Goodman Heuley

Atty. for Cho. the Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs Rachel M^c Duff Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

YOUR APPLICANT Mrs Rachel M^c Duff, respectfully
represents to this Honorable Commission that she is a regularly recognized member of the Choctaw Tribe of Indians of the Choctaw Nation and is entitled to be placed upon the rolls, to be prepared by this Honorable Commission as a member of the Choctaw Tribe of Indians on the following grounds, to-wit:

1st. There is no true and perfect roll of the members of the Choctaw Tribe of Indians and no law or authority for the Choctaws to make such a roll.

2nd. On the 16th day of May 1877 your applicant was a ^{Catawba Indian} ~~white woman~~
and adopted citizen of the Creek Nation and on said day was legally married to
C. J. M^c Duff, who was then and is now a regularly
recognized member by blood, of the Choctaw Tribe of Indians, a copy of the marriage certificate is hereto attached and marked Exhibit "A," and made a part hereof.

That there was not then nor is there now, any law of the Choctaw Nation authorizing the issuing of a marriage license and it was and now is the established custom for Choctaw men to marry white women without a license from the Choctaw Nation and by such marriage white women become members of the Choctaw Tribe of Indians and are so recognized by the Choctaw authorities.

Your applicant files herewith the affidavit of S. E. Lewis
as additional proof of the citizenship of said C. J. M^c Duff and
the custom among the Choctaws and asks to be placed upon the rolls as a member of the Choctaw Tribe of Indians.

Subscribed and sworn to before me this the 1st
day of Sept 1896

Notary Public for the Central District of the Indian Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs Rachel M^c Duff Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

BE IT REMEMBERED That on this the 2 day of Sept 1896,

personally appeared before me the undersigned authority

Emma H Tennant

who having been by me first duly sworn according

to law states on his oath as follows:

"I am 41 years old, I am a resident of Toke county of the
Choctaw Nation and a recognized member of the Choctaw Tribe of Indians. I have known
Mrs Rachel M^c Duff and her husband for 20 years,
her husband is a member, by blood, of the Choctaw Tribe of Indians and was such at the time he
married Rachel M^c Duff, I knew his father and mother and they
were recognized members of the Choctaw Tribe of Indians, Mrs. Rachel

M^c Duff has ever since her marriage been a recognized member of said
Tribe. I was present when the ceremony was performed on May
16th 1877 at the River by the Rev. J. G. Jatta & Missionary.
At the time of Mrs Rachel M^c Duff's marriage to

C. J. M^c Duff it was the custom among the Choctaws for Indian
men to marry white women without a license and license was not granted. That custom still
prevails and white women who marry Indian men become members of said Tribe
Indian of other Tribes

Emma H Tennant

Subscribed and sworn to before me this the 2

day of Sept 1896

C. J. Watson

Notary Public for the Central District of the Indian Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs *Rachel M^c Duff* Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

BE IT REMEMBERED That on this the *12th* day of *September* 1896,
personally appeared before me the undersigned authority *S. E. Lewis*

who having been by me first duly sworn according
to law states on his oath as follows:

"I am *55* years old, I am a resident of *Taluckay* county of the
Choctaw Nation and a recognized member of the Choctaw Tribe of Indians. I have known
Mrs *Rachel M^c Duff* *10 yrs* and her husband for *15* years,
her husband is a member, by blood, of the Choctaw Tribe of Indians and was such at the time he
married. *Rachel M^c Duff*, I knew his father and mother *Brother Campbell* and they *Lepline*
were recognized members of the Choctaw Tribe of Indians, Mrs. *Rachel M^c Duff*
has ever since her marriage been a recognized member of said
Tribe.

At the time of Mrs *Rachel M^c Duff* marriage to
C. J. M^c Duff it was the custom among the Choctaws for Indian
Indian men to marry ~~white~~ *of different Tribes* women without a license and license was not granted. That custom still
prevails and white women who marry Indian men become members of said Tribe

Subscribed and sworn to before me this the
day of *September* 1896.

S. E. Lewis
Notary Public for the Central District of the Indian Territory.

No.

—CLAIM OF—

Rachel McDuff

FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Oct 7, 1896.
H. H. Conway
Secy.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Rachel Mc Duff

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~In case there is no proper proof of the marriage of applicant.~~

~~That there is no evidence that this claim has ever been disputed by the Choctaw Nation.~~

~~Rachel McDuff.~~

The Choctaw Nation
By *Stuart Gordon & Bailey*
Its Attorneys.

End

1896 Choc 1308

1896 Choc 1308

Before the Commission
for the Line Enlarged
Index 1308
No 1148

Filed Sept 9-1896

AS McKinnin

Cur

A. J. M. Huff
Applicant

Chactau nation

Races Bros. attys

Atoka, I. T.

Adm. Applicant
An Indianman City

J. P. Gault
x
Races Bros.
attys.

South Maalister, I. T. Sept 4, 1890.

Received this day papers purporting to be copies in plain of _____

A. J. McDuff
for Choctaw citizenship as follows: petition, ~~marriage license and marriage~~
~~consent~~ and affidavits of A. H. Lee

Stuart Gordon & Haley

Attys for Choctaw Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
A. J. Mc Duff, Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

ON THIS the 28 day of August 1896, personally appeared
before me the undersigned authority, Allen G. Lee who,
having been by me first duly sworn according to law states on his oath as follows
to wit:

"I am 57 years old, am a resident of Toluckay county of
the Choctaw nation and am a member of the Choctaw nation. I am acquainted with
the applicant, A. J. Mc Duff, and have known him dur-
ing the last past 27 years. I know his wife Minerva Leflore
Campbell Leflore and have known her for 27 years. I knew her Brother Campbell
Leflore and know him and her to be members, by blood, of the Choctaw Tribe of
Indians and they are so recognized by other members of the said Tribe. Ever since
the applicant married said Minerva Leflore he has been re-
cognized as a member of the said Choctaw Tribe and his right has never been
disputed.

Mrs. Minerva Mc Duff, was before her marriage
to the applicant a Miss Minerva Leflore, being the
Sister of Campbell Leflore
daughter of

The applicant is now a resident of the Choctaw nation.

And has been since I became acquainted with
him. And he lived with his said wife until
her death.

A. G. Lee
Subscribed and sworn to before me this the 28th day of
August 1896.

G. W. Norton
Notary Public for the Central District of the Indian Territory.

Before the Commission for the five
Civilized Tribes

A. J. M^c Duff Applicant for enrollment
as a member of the Choctaw Tribe of
Indians.

Your Applicant A. J. M^c Duff respect-
fully represents to this honorable Commission
That he is a regularly recognized mem-
ber of the Choctaw Tribe of Indians
of the Indian Territory and is a bona fide
resident of the Choctaw Nation
and is entitled to be placed upon the
rolls being prepared by this Honorable
Commission, as a member of said Choctaw
Tribe or Nation, for the following reasons
to wit.

1st There is no correct and perfect of the mem-
bers of the Choctaw Tribe of Indians, and
no law or authority for the Choctaw Nation
to make such rolls

2nd Your Applicant was on the 1st day
of January 1851 a Citizen of the United
States and a white man and resident
of the State of Mississippi and was in said
State legally married to Minerva M^c Duff
who was then and was until her death
in the Choctaw Nation in the year
1871^{a regularly recognized member of the Tribe or Nation}
Your Applicant has two children
living by said marriage Charles J. M^c Duff
and Mrs Emma H. Tennent.

That at the time of your applicants marriage
to his said wife the Choctaw Nation
had no law authorizing marriage li-
cense and white men marrying

POOR ORIGINAL -
BEST AVAILABLE COPY

Indian women were not required
to procure license.

In support of this application your
applicant files the affidavit of A. G.
Lee who has known your applicant
for 27 years.

That your applicant has never forfeited
any of his rights in the Choctaw Nation
and his right to vote has not been
disputed he having voted at South
Canadian precinct in the Choctaw
Nation Toluckay County on August 25
6th 1896. In support of your applicants
claim that the Marriage law of 1875
does not operate in his case he would
respectfully refer your honorable Com-
mission to ruling of Department of the
Interior in the Cases of Wm. J. Stephens
and Hannan Mickle who were re-
jected by the Choctaw Council in 1884 and
were afterward admitted by the Secre-
tary of the Interior.

A. H. M^c Huff

Subscribed and sworn to before me this
28th day of August 1896

C. W. Merton
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

No.

—CLAIM OF—

A. J. McDuff
FOR CHOCTAW CITIZENSHIP.

ANSWER.

AND *W. H. 1894*
A. S. McKelton

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

A. J. McDuff

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~That there is no evidence that he has ever been~~
~~disputed by the Choctaw Nation.~~

A. J. McDUFF.

The Choctaw Nation
By *Stuart Gordon & Bailey*
Its Attorneys.

End

1896 choc 1309

1896 choc 1309

County,

Return to Clerk.

and

On the 1st day of August, 1900, I, the undersigned, being a duly qualified Justice of the Peace for the County of Jones, State of Georgia, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

The undersigned, petitioner, do hereby certify that the following is a true and correct copy of the petition of the undersigned, as filed in my office, to wit:

Anderson McCarty

Witness my hand and seal this 7th day of August, 1900.

J. W. Atkins
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

COPY.

UNITED STATES OF AMERICA.
INDIAN TERRITORY,
Central District.

Everette E. McCarty being first duly sworn according to law says;---- My name is Everette E. McCarty, my age is 55 years, my post office is Coalgate, Indian Ter. I know Anderson McCarty. He is my brother. He is one eighth Choctaw Indian by blood derived from his Mother Annie McCarty who was one fourth Choctaw Indian, she being a daughter of Martha Smith nee James a half blood Choctaw Indian.

He is a bona fide resident of the Indian Territory. He has the following children living, Chas. M. McCarty, Dorothy L Weaver nee McCarty, James A. McCarty and Walter S. McCarty.

(Signed.) E. E. McCarty.

Subscribed and sworn to before me this Aug. 10th. 1896.

John W. McKinis
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

UNITED STATES OF AMERICA.
Indian Territory,
Central District.

Thomas York being first duly sworn according to law says;--

My name is Thomas York, I am 74 years old, my post office is Simpson, Indian Territory.

I am well and intimately acquainted with Everett E. McCarty and Anderson McCarty and have known them all their lives.

They were born and reared in Mississippi in the Indian settlements. They are one eighth Choctaw Indians by blood.

I knew their Mother, Annie McCarty whose maiden name was Annie Smith. She was one fourth Choctaw Indian and spoke the Choctaw language fluently, her Mother being Martha Smith formerly Martha Jones a half blood Choctaw Indian.

Everett E. McCarty and Anderson McCarty had a Brother Bryant J. McCarty now dead, and a sister Annie Kelly nee McCarty also deceased whom I knew and were also born and reared in Mississippi.

I am a full blood Choctaw Citizen, and am not related to any of the above ~~parties~~ named parties, and am not interested in their claim for citizenship.

Attest John W. ...

Thomas York
man

Subscribed and sworn to before me this Aug. 8th. 1896.

John W. ...
Notary Public.

UNITED STATES OF AMERICA.
Indian Territory,
Central District.

Solomon Wilson being first duly sworn according to law says;--

I am 60 years of age, my post office is McAlester, Indian Ter.

I am well and intimately acquainted with Everett E. McCarty and Anderson McCarty. I also knew their brother Bryant J. McCarty now deo'd and their sister Annie Kelly nee McCarty.

They are all one eighth Choctaw Indians by blood derived from their Mother, Annie McCarty, who spoke the Choctaw language fluently, whose maiden name was Annie Smith, whom I also knew and who was a one fourth Choctaw Indian derived from her mother Martha Smith formerly Martha Jones a one half Choctaw Indian by blood.

These parties were all reared in in Miss. in the Indian settlements.

Everett ~~xxx~~ E. and Anderson McCarty are residents of the Indian Territory.

I am a full blood Choctaw Indian citizen. Am not related to any of these parties and am not intetested in their claims for citizenship

Attest. *J. H. Wilson*

Solomon Wilson
man

Subscribed and sworn to before ~~me~~ me this Aug. 8th. 1896.

J. H. Wilson
Notary Public.

Angus M. Carthy, Jr.
To
Darius L. L. Lamm.
Petitioners. 3 affiants

That

Done

DUNSTAN & WILKINS,
ATTORNEYS AT LAW,
ATOKA - IND. TER.

No. 283.
1309

Anderson McCarty et al
To J. L. H. Law Action
Darius Ind. Loan

Filed Sept-9-1896.
A.S. McClemon on.
Court

Reflected

DUNSTAN & WILKINS,
ATTORNEYS AT LAW,
ATOKA, - IND. TER.

That his son Chas.M.McCarty married a white woman and has the followig children living.

Maggie McCarty, adaughter 17 years old.

Mildred McCarty, a daughter 15 years old.

Lucile McCarty, a daughter 10 years old.

That his daughter, Dorethy L.Weaver has the following children living;-

^{Weaver}
Jewell McCarty, a son 18 years old.

James Weaver, a son 18 years old.

Rhoderick Weaver a son 14 years old and

Kate Weaver a daughter 12 years old.

And that his son James A.McCarty has the following living children

Frank McCarty, a son 5 years old.

James A.McCarty Jr., a son 2 years old.

So. McAlester, I. T.

Sept. 1st. 1896.

Received of Dunstan & Wilkins, in the claim for citizenship of Anderson
McCarty vs Choctaw Nation, papers purporting to be copies as follows;
Petition for citizenship, Affidavit of E. E. McCarty, Affidavit of
Thomas York, Affidavit of Solomon Wilson.

Stuart Gordon & Hailey
Attys for Choctaw Nation.

That his son Chas.M.McCarty married a white woman and has the following children living.

Maggie McCarty, a daughter 17 years old.

Mildred McCarty, a daughter 15 years old.

Lucile McCarty, a daughter 10 years old.

That his daughter, Dorethy L.Weaver has the following children living;--

^{Weaver}
Jewell ~~McCarty~~, a son 19 years old.

James Weaver, a son 16 years old.

Rhoderick Weaver, a son 14 years old and

Kate Weaver, a daughter 12 years old.

And that his son James A.McCarty has the following living children.

Frank McCarty, a son 5 years old.

James McCartyJr. a son 2 years old.

Anderson McCarty,
To Petition for citizenship.
The Dawes Indian Commission.

On this day comes Anderson McCarty, and represents that he is a one eighth Choctaw Indian derived from his Mother, Annie McCarty, who was a one fourth Choctaw Indian, and a daughter of Martha Smith nee Jones, a half blood Choctaw, whose mother petitioner believes, and is informed was a Pitchlyn a full blood Choctaw Indian.

Annie McCarty, petitioner's Mother, was born and reared in Mississippi in the Indian settlements where she also died.

Petitioner was born in Mississippi, came to the Indian Territory six or eight years ago where he has since resided.

That Everett E. McCarty, of near Coalgate, IT. is his brother and has the following living children;-

Theresa Wilson nee McCarty; Julia S. ^{nee} McCarty; John E. McCarty; Theron B. McCarty; Lonice McCarty; Carl McCarty; Fanny Kuhn nee McCarty; Charlotte McCarty; Virginia McCarty.

That Bryant J. McCarty, deceased was his brother, who left surviving him the following named children;-
Eugens McCarty; Alphonso B. McCarty; Oscar B. McCarty; Laura Hancock nee McCarty.

That Annie Kelly nee McCarty, deceased was also his sister, who died leaving surviving her the following children;-

Eliza Greer nee Kelly; Erastus Kelly; James Kelly; Everett Kelly; and Kelly.

That petitioner has the following children living;--
Chas. M. McCarty; Dorethy L. Weaver nee McCarty; James A. McCarty and Walter S. McCarty, whose Mother was a white woman now deceased.

That petitioner is of white and Choctaw blood.

That he has never been charged or convicted of any felony.

Premesis considered, petitioner prays that he be admitted to citizenship, and that he be enrolled as a member of the Choctaw Tribe and also his children ^{and some others} aforesaid for which in duty bound he will ever pray &c.

Anderson McCarty

Subscribed and sworn to before me this 7th. day of August, 1896.

J. W. Perkins
Notary Public.

United States of America
Indian Territory
Central District

Everette E. McCarthy being first
duly sworn according to law says
My name is Everette E. McCarthy. My
age is 35 years. My past office is Coal
Gate Indian Ter. I know Anderson
McCarthy. He is my brother. He is a
one eighth Choctaw Indian by blood,
deriving from his mother Anna McCarthy
who was a one fourth Choctaw Indian
she being a daughter of Martha Smith
nee James a half blood Choctaw Indian.

He is a bona fide resident of the
Indian Territory. He has the following
children living, Lehas M. McCarthy, Dorothy,
L. Weaver nee McCarthy, James A. McCarthy,
and Walter S. McCarthy.

E. E. McCarthy

Subscribed and sworn to before me
this Aug. 10th 1896

J. H. Wilkins
Notary Public

United States of America
Indian Territory

Central District

Thomas Gork being first duly sworn according to law says:-
My name is Thomas Gork I am 74 years of age. My post office is Simpson Indian Ter. I am well and intimately acquainted with Everett E. McCarly and Anderson McCarly and have known them all their lives. They were born and reared in Mississippi in the Indian settlements. They are one eighth Choctaw Indians by blood. I knew their mother Annie McCarly whose maiden name was Annie Smith. She was one fourth Choctaw Indian and spoke the Choctaw language fluently. Her mother being Martha Smith formerly Martha Jones a half blood Choctaw Indian. Everett E. McCarly and Anderson McCarly had a brother Bryant J. McCarly now dead and a sister Annie Kelly nee McCarly also dead, whom I knew and who were also born and reared in Mississippi. I am a full blood Choctaw Citizen and am not related to any of the above named parties and not interested in their claim for citizenship.

attest
J. W. Williams

Thomas Gork
mark

Subscribed and sworn to before
me this Aug 8th 1896

J. H. Perkins
Notary Public

United States of America
Indian Territory
Central District

Solomon Wilson being first duly sworn according to law says,
I am 60 years of age. My first
office is McAlister Indian. Ter

I am well and intimately
acquainted with Everett E. McCarthy
and Anderson McCarthy. I also knew
their brother Bryant McCarthy now dead
and their sister Armine Kelly nee McCarthy.
They are all one eighth Choctaw
Indians by blood derive from
their mother Armine McCarthy ^{whose people the} ~~Choctaw~~ ^{Choctaw} ~~language~~ ^{language} ~~people~~ ^{people}
maiden name was Armine Smith
whom I also knew and who was
a one fourth Choctaw Indian derive
from her mother Martha Smith
formerly Martha James. They are half
Choctaw Indian by blood. These
parties were all reared in Mo. in
the Indian settlements.

Everett E. and Anderson McCarthy
are residents of the Indian Territory.
I am a full blood Choctaw Indian
citizen. Am not related to any of these
parties and am not interested in their
claim for citizenship.

attest J. H. Wilson
Subscribed and sworn to before me this
Aug. 8th 1896
J. H. Wilson
Notary Public

No.

—CLAIM OF—

Anderson McCarty

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED SEPT. 19 1890
A. S. MCKENNON
COM'R

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Anderson McCarty

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

*That the evidence herein is in sufficient
to establish claimant's right.*

The Choctaw Nation
By *Stuart Gordon Oakley*
Its Attorneys.

End

1896 Choc 1310

✓

1896 Choc 1310

To the Hon Dawes Commission Vinita
Indian Territory Personally appeared before me
a Notary Public in and for the County of DeSoto
Territory and State of Arkansas duly commissioned
and acting John. D. McElary and deposes
and says that he is 53 years old and
that his Post Office address is Vinita
Arkansas. He further says that he
well knows that Belle McElary is
the Daughter of George McElary
and that George McElary is the son of
Jordis McElary and that she is a
sister of Elizabeth Casey and that
Annie Fisher was the mother of Jordis
McElary and Elizabeth Casey and says
further that Annie Fisher taught him
that she was Choctaw Indian by blood
and was to the best of his knowledge
and belief. Says further that the said
Elizabeth Casey has filed her claim
before the Dawes Commission showing
that she is Choctaw Indian by blood
and one of that tribe.

John D. McElary
Subscribed and sworn to before
me this the 7th day of Sept 1896
John. W. Mathews N.P.
My Commission expires July 11 - 1898

~~6963~~

1311

John D. McChesney

Vesta Ark

17

Choctaw Nation

FILED SEPT. 11 1896. ★

→ A. S. MCKENNON ←

→ COM 'R' ←

Rejoice

To the Hon. James Commission Vinita
Indian Territory. Personally appeared
before me a Notary Public in and
for the County of Sebastian and
State of Arkansas. Only Commissioned
and Acting, Mrs. Mary Incker and
Depaseth and says that she is 45
years of age and that her Post
Office address is Vinita Arkansas
she further says that she well knows
that Bell McLary is the daughter
of George McLary and that George
McLary is the son of Indian
McLary and that she is a sister of
Elizabeth Casey. And further says
that it has always been claimed
by her neighbors that Bell McLary
is Choctaw Indian by blood and
one of that tribe.

Witness
15 +

John D. McLary
J. K. Cox

Mary Incker
mark

Subscribed and sworn to before
me this the 8th day of Sept-1896
J. W. MacArthur N. P.
My commission expires July 11-1898

REGISTRY RECEIPT.

Post Office at Laraca Ark
Registered Letter No. 5 Rec'd 7/8, 1896
of John W. McHenry
addressed to Laraca Ark
Chief of the Cherokee Nation
McHenry D.C.
J. W. McHenry, P. M.

Affidavit of Witness.
To Whom it may concern.
This is to certify that I the
undersigned was present and
had a copy of the evidence of
Belle McLary, also one copy of
John. W. McLary and also a
copy of Mrs. Mary Zucker read
over to me and know that
said Evidence was Registered
at the Post Office at Lavaca
Sebastian County Arkansas
and forwarded to the Chief of the
Choctaw Nation on the 8th day of
Sept- 1896, witness my hand
and Seal this the 8th day of
Sept- 1896.

Chesley C. Parker

Subscribed and Sworn to
before me this the 8th day of Sept-
1896.

W. M. Washburn J.P.

My Commission expires July 11-1898

To the Hon. James Commission
Vinita Indian Territory.

Personally appeared before me
A Notary Public in and for the
County of Sebastian and State
of Arkansas. duly commissioned
and acting, Miss Belle McLary
and depose and says, that she
is 22 years of age, and that
her Post-office address is
Raseville Arkansas, and she
desires to be placed upon the
Roll of Choctaw Nation that
she may get her allotment
and all contributions due her
by said tribe. She further says
that she is the daughter of
George McLary who was the
son of Judie McLary and
that Judie McLary was the
sister of Elizabeth Casey.
Says further that she is a Choctaw
Indian by blood and to the
best of her knowledge and
belief.

Belle McLary.

Subscribed and sworn to before me
this Sept-8th 1896. J. W. Washburn N. L.
My Commission expires July 11-1898

1310

✓

NO.....

—CLAIM OF—

Belle McClary
For Chottaw Citizenship

ANSWER.

Filed Oct. 22, 1896.

H. W. Jackson,
Scriber.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Belle McClary

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence shows that this claimant lives in the State of Arkansas, and has never lived in the Indian Territory, nor in any manner affiliated with the Choctaw Tribe since it left said State of Mississippi, but has long since abandoned her claim as a member of said Tribe.

The evidence filed in support of this claim consists merely of statements made to witnesses by the claimant herself, and the ancestors of claimant, and no positive proof has been filed whatever.

This claim was received by Gov. Gardner Sept. 23, 1896, and therefore not entitled to be considered.

By *The Choctaw Nation*
Stuart Gordon Wiley
Its Attorneys.

End

1896 Choc 1311

1896 Choc 1311

1897 1311

James Mitchell
The Chelton Station
Affidavit of
James Mitchell

Filed 2/2/96
H. M. Janaway
Sey

Rejected

Bjington Rome
Ladd.

Indian Territory
County of Blaine.
Before me, J. S. Hancock
a Notary Public in and
for said Territory personally
appeared James Mitchell who
after being duly sworn de-
poses and says he is
thirteen years of age, his
Post Office is Holbe Md. Ter.
and has been living in the
Indian Territory about two years,
and has filed his claim
with the Choctaw Council that
he is the son of Susan Hunter
who was one-fourth Choctaw and
one-fourth Indian blood and the daughter
of Geo. Hunter - who was a
half-breed Choctaw, who moved
from Mississippi to Alabama
about the year of 1830. Said
Susan Hunter - married one
Geo. Mitchell who was the
father of James Mitchell,
the applicant, and moved to
Missouri and died leaving three
children

James Mitchell.
Rachel Mitchell, nee Lee.
Sarah Mitchell, nee Kilken.
That the following are the
names of the children of
James Mitchell.

Geo. Mitchell.
William Mitchell.
James Mitchell Jr.
John Mitchell
Louis

Tertha

Charley	"	"
Sarah	"	"
Christa	"	"
Julietta	"	"

Wherefore your petitioners pray that
his bounty be extended as above
enumerated. James Mitchell

Sworn and Subscribed to before
me this 14th of July 1890.

J. S. Hancock
Notary Public

2757
James Mitchell
vs
Choctaw Nation

Petition

Filed 9/9/96

H. W. Jearway
Scriber

FILED SEPT. 9 1896.

A. S. McKENNON

COM 'R'

Laddo, J. J.

Before the Hon Barnes Com.

James Mitchell }
 " } Petition for
Choctaw Nation } Citizenship

Now comes the Plaintiff
James Mitchell, and shows unto
your Honorable Body that he is the
son of Susan Hunter, a one fourth
Choctaw woman by blood, and
married a man by the name
of George Mitchell, and that
said Susan Hunter was the
daughter of George Hunter, who
was a half blood Choctaw Indian.

Therefore the Plaintiff, James
Mitchell prays your Hon. Body to
place his name upon the Choctaw
roll of Citizens by blood.

And he fully supports all his
claim by Affidavits A, B, C
filed herewith and made a
part of this petition.

James Mitchell

Subscribed and sworn to before me
this 7th day of Sept 1896. W. S. Martin
Notary Public

J. J. RANTON.

CHAS. E. MCPHERREN.

OFFICE OF

Ranton & McPherran.
LAWYERS.

REAL ESTATE AND COLLECTING ACTS-

CADDO, IND, TER. *Sept* 2. 1896

Miss Pearl - S. S. Bailey
Esq. McPherran
In L. R.

Deeds

Inclosed find copy of Papers
in care - James Mitchell on
Christian Nation as follows -
Affidavit & Petition combined of
James Mitchell, Aff'd.
Phillips & a little as to
Elric Hermon.

Byington-Ranton & McPherran

Received the above
papers 9/7/96
Stuart Gordon Bailey

James Mitchell
vs
Shochara Nation
Affidavit of
Phelley Doolittle

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Be it remembered, that on this 11th day of
August 1896, at Ardmore S.E. personally
appeared before me J. W. Scanlon
a Notary Public in and for the
Southern Division Indian Territory
Phillip Doolittle, who having been by
me first duly sworn according to Law
deposes and says: my Post-Office is
Burgess & my age is 77 years. I know
Susan Hunter in Mississippi, and I know
her to be one fourth Choctaw Indian by
blood. She married George Mitchell, and
they had a son by the name of James
Mitchell. I also know Mrs Hunter, who
was the father of Susan Hunter, and
1/2 Choctaw by blood. I am personally
acquainted with James Mitchell.
I have no interest in the prosecution
of this claim.

Phillip ^{his} Doolittle
mark

Sworn to before me this 11th day
of August 1896.

J. W. Scanlon
Notary Public

James Mitchell
vs
The Choctaw Nation

Affidavit of
Elee Harrington

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Be it remembered, that on this 11 day of
Aug 1896, at Ardmore I.T. within the
Southern Division of the Indian Ter
personally appeared before me J.M. Scanlon
a Notary Public in and for said
Division. Elie Herrington,
who, after having been by me first duly
sworn according to Law, deposes and
says: my Post Office is Ardmore I.T.
my age is 63 years. I knew Susan
Hunter in Mississippi. She was one
fourth Choctaw and by blood, she
married a man by the name
of George Mitchell. I knew Susan
Hunters father. His name was Ben
Hunter. Susan (Hunter) Mitchell had
a son by the name of James
Mitchell. I am personally acquainted
with him. He is one eighth Choctaw
by blood.

I have no interest in the pro-
secution of this claim.

Elie^{his} Herrington
mark

Sworn to Before me this the
11th day of August 1896
J.M. Scanlon
Notary Public

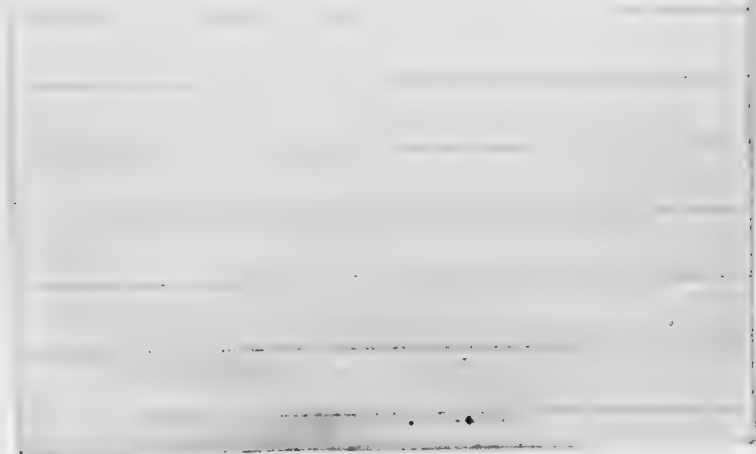
James Mitchell

C - "418."

Sept. 10, 1896.

Dec. 8th, 1896.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.



No.

—CLAIM OF—

James Mitchell

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1892

H. W. Jernigan
Jury

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

James Mitchell

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence fails to show that claimant is one-eighth blood Choctaw Indian, and shows that he has filed his claim for citizenship before the Choctaw Council, and that said claim is still pending there.

James Mitchell.

By *The Choctaw Nation*
Stuart Gordon Wiley
Its Attorneys.

End

1896 Choc 1312

1896 Choc 1312

Dr Wm. Miller J. 7th 1896

Received this day papers purporting
to be copies in the case of ~~John~~ Kate
& Mary for Citizenship in the Cherokee
Nation as follows.

Petition and affidavits of
W.B. Brothie & Henry Philipps

Thos. Gordon Hailey
Atty for Cherokee Nation

Affidavit of Witness.

In the matter of petition and memorial of Kate E. May
for admission to citizenship in the Choctaw Nation.
State of Texas }
County of Lamar } SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Henry Phillips who, after being by me duly sworn, states:
That he is 64 years of age, and a resident of the State of Lamar and County of Texas and his post office address is Paris, Texas
that he is personally acquainted with Kate E. May who is an applicant for Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors Indian blood.)

He is personally acquainted with the applicant Kate E. May, and knows her to be the person she represents herself to be, namely, the daughter of Hattie Dowd, who was the daughter of one John H. Dowd, and that the said John H. Dowd, was a recognized Choctaw woman, as claimed in her application for citizenship in the Choctaw Tribe of Indians.

Affiant further states: That he has known the said Kate E. May for the past 25 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said Kate E. May indicate that she is of Choctaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Kate E. May, he believes the said Kate E. May to be a descendent by blood of the Choctaw Indian tribe, and a lineal descendent of the said John H. Dowd.

Subscribed and sworn to before me this 14 day of Sept, 1896

Henry Phillips
Hugh L. Ewing

NOTARY PUBLIC.

My Commission expires.....

Affidavit of Witness.

In the matter of petition and memorial of Kate Q. May
for admission to citizenship in the Choctaw Nation.
State of Texas }
County of Lamar } SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared W. B. Boothe who, after being by me duly sworn, states:
That he is 60 years of age, and a resident of the State of Texas and County of Lamar and his post office address is Paris, Texas
that he is personally acquainted with Kate Q. May who is an applicant for Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors Indian blood.)

He is personally acquainted with the applicant Kate Q. May and knows her to be the person she represents herself to be, to wit the daughter of one Thessie Dowd who was the daughter of Ann H. Dowd and that the said Ann H. Dowd was a recognized Choctaw woman, as claimed in her application for citizenship in the Choctaw Tribe of Indians.

Affiant further states: That he has known the said Kate Q. May for the past 30 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said Kate Q. May indicate that she is of Choctaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Kate Q. May he believes the said Kate Q. May to be a descendent by blood of the Choctaw Indian tribe, and a lineal descendent of the said Ann H. Dowd.

Subscribed and sworn to before me this 14 day of Sept, 1896

W. B. Boothe
Hugh L. Ewing
NOTARY PUBLIC.

My Commission expires.....

1312
No. 4727
APPLICATION OF
Katie E. Wally Et. Al.,
FOR
Enrollment in Cherokee Nation
Filed on the 9 day of Sept 1896
H. W. J. [unclear]
Sec. U. S. Com. Five Civ. Tribes
M. M. [unclear]
Attorney for Petitioner.
CAPITAL PRINT, South McAlester.

Repeted
So. we aliter

Hugh & [unclear]
Notary Public.

APPLICATION FOR ENROLLMENT.

Before the United States Commission to the Five Civilized Tribes of Indians:

Kate Q. May Et. Al.
PETITIONER,

Choctaw VS.
Nation, Indian Territory.
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner *Kate Q. May* states that *Sam H. Dowd* was a *Choctaw* Indian by blood, was duly recognized by the proper authorities as such in *The State of Mississippi* and enjoyed all the rights, privileges, benefits and immunities of other *Choctaw* Indians by blood in the said *Choctaw* Nation or Tribe of Indians, and that the name of the said *Sam H. Dowd* appears or should appear upon the authenticated rolls of the said *Choctaw* Indians for the year *1833*,

That the petition is a lineal descendant of the said *Sam H. Dowd*, to-wit: *My mother* *Sam H. Dowd* had a daughter *who is my mother* *and further states that she was married to Sam Q. May, in the State of Mississippi on the 11th day of February 1875 and that from said union there are 8 children now living whose names are hereunto attached,*

That under the constitution, laws, usages and customs of the said *Choctaw* Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said *Choctaw* Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities of other *Choctaw* Indians by blood.

That there are now living legal descendants of your said petitioner *9* persons, as follows, to-wit:

<i>Bernon May</i>	a	Male	and	<i>19</i>	years of age
<i>Petelle</i>	a	Female	and	<i>17</i>	years of age
<i>Carri</i>	a	Male	and	<i>16</i>	years of age
<i>Willie</i>	a	"	and	<i>14</i>	years of age
<i>Lorris</i>	a	Female	and	<i>13</i>	years of age
<i>Ethel</i>	a	"	and	<i>9</i>	years of age
<i>Alma</i>	a	"	and	<i>7</i>	years of age
<i>Hallie</i>	a	"	and	<i>5</i>	years of age
	a	"	and		years of age

Wherefore, the premises considered, your petitioner prays that *her* name, with those of

her said descendants to-wit: *Samson Estelle*
Earl Willie Annie Ethel Alma and
Hallie May
and her own be enrolled and admitted to all the rights, benefits, privileges and
immunities of other *Choctaw* Indians, in and to the *Choctaw* Nation or
Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence namely:

and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner
will ever pray, etc.

Attorneys for petitioners.

The aforesaid petitioner, *Kate E. May* says that the statements
set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Subscribed and sworn to before me, this *4* day of *Sept* 1896.
Kate E. May, Petitioner.
Hugh L. Ewing, Notary Public.

1312
No 4722
APPLICATION OF
Kate E. May
FOR
Enrollment in *Choctaw* Nation
Filed on the *9* day of *Sept.* 1896
H. W. J. J. J.
Sec. U. S. Com Five Civ. Tribes
M. W. J. J. J.
Attorney for Petitioner.
CAPITAL PRINT, South McAlester.

R. J. J. J.
So we alter

1312
No. 4727
APPLICATION OF
Katie E. May Et. Al.,
FOR
Enrollment in Cherokee Nation
Filed on the 9 day of Sept. 1896
A. W. J. [Signature]
Sec. U. S. Com. Five Civ. Tribes.
M. M. [Signature]
Attorney for Petitioner.

CAPITAL PRINT, South McAlester.

Repaired

So we alter

Hugh & Son
Notary Public

No.

—CLAIM OF—

Kate E. May
FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED SEP 26 1900
A. S. MCKENNON
COM'R

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Kate E. May

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence filed herein does not show that the applicant~~
~~is a one-eighth blood Choctaw Indian.~~

There is no positive proof that ~~Ann~~ Dowd was a member of the Choctaw tribe of Indians, nor is there any proof as to the amount of Choctaw Indian blood in said Ann H. Dowd. The affidavit of Henry Phillips filed herein states that the applicant Kate E. May is a daughter of the said Ann H. Dowd, but the petition of the applicant states that she is a grand daughter of the said Ann H. Dowd.

Kate E. May.

By

The Choctaw Nation
Stuart Gordon & Hiley
Its Attorneys.

End

1896 Choc 1313

1896 Choc 1313

No 2747²⁴⁴
Before Hon. Daves
Indian Commissioner

1313
In re Application of
Julia A Mc Manus
Plaintiff

for Choctaw Indian
Citizenship
Defendant

~~Filed for~~ 1896
~~Re~~ H. M. Jacobson
~~Law.~~

Redick, Lewis & Snyder,
Attorneys for Petitioner
Oklahoma City
O. T.

SOUTH McALESTER, INDIAN TERRITORY,

September 7th, 1896.

RECEIVED this day of Berret Carter, ~~Shawnee~~ a paper, purporting
to be a copy of the application of Julia A. McMames
for citizenship in the Chectaw Nation or Tribe of Indians.

Stuart Gordon Haley
Attorneys for the Chectaw Nation.

BEFORE THE HONORABLE DAWES COMMISSION, AND THE HONORABLE GOVERNOR
OF THE CHOCTAW INDIAN NATION.

Comes now Julia^A Mc Manus, formerly Julia A. Mc Cullough,
your petitioner, and represents and shows that she has Choctaw
Indian blood, and is the daughter of parents having Choctaw Indian
blood; and was married to to T. A. Mc Manus at Palestine, Anderson
County, State of Texas, on the 27th day of March, A. D., 1882.

That as the fruits of said marriage there have been born
to petitioner and her said husband six children now living, named
and aged as follows:

Thomas Mc Manus, age 16 years; Ada L. Mc Manus, aged 11 years;
Lulu Mc Manus, aged 9 years; Willie Mc Manus and Maggie Mc Manus,
twins aged five years; and Lulu J. Mc Manus, aged 3 years.

Your petitioner further represents that under the laws
of said Choctaw Indian Nation, and the Acts of Congress pertaining
thereto, she and her said children are entitled to be placed upon
the rolls of said Choctaw Nation as citizens of said Nation, and
are entitled to all the benefits flowing and resulting therefrom.

Wherefore your petitioner prays that a time and place
may be by you named, when she can be fully heard and her proof
presented in support of her claim to citizenship in said Choctaw
Nation, and that upon a hearing thereof, she and her said children
may be placed on the rolls of said Choctaw Indian Nation as citi-
zens thereof.

By Julia A Mc Manus
Redick, Lewis & Snyder
Her Attorneys at Oklahoma City, Oklahoma Territory.

RECEIVED THE PHOTO WITH SLIDES FOR INSPECTION AND M.E. HOLLOMAN ON 10/20/68

2

~~SECRET~~

Julia & M. M. M. M. M.

A. Niedermeier,

Mr. Geo. E. Corry, 1899. National Public.

SS.

_____ of lawful age being
first duly sworn according to law, on oath deposes and says:

That he made service of the within application for citizenship on the Governor of the Choctaw Indian Nation on the _____ day of September, A. D., 1896, by leaving with said Governor a true and correct copy of said petition, said copy being served at _____ Choctaw Indian Nation, Indian Territory.

Subscribed and sworn to before me by the above named _____
_____ on this the _____ day of September, 1896.

No. _____

—CLAIM OF—

Julia R. McManis

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

H. W. Janney

Deputy

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Julia A. McManis

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That no evidence has been filed by the applicant in this case in support of the application.

Julia A. McManis.

The Choctaw Nation
By *Stuart Esmond Bailey*
Its Attorneys.

End

1896 Choc 1314

1896 Choc 1314

South McAlester, I. T. Sept. 5th 1898.
Received of J. P. Mullen papers purporting to be copies of
petition of Delia McMillian ~~and~~ Et Al for citizenship in the Choctaw
Nation and affidavits of Stephens Hank and Wesley McKenney and Delia
McMillian to support said claim.
Stuart Gordon & Huiley
Attys for Choctaw Nation.

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Dellia McMillian and Payton Berryman

for admission to citizenship in the Choctaw Nation.
State of Choctaw Nation
County of Tobucksey } ss

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Wesley McKinney and Stephen Starks who, after being by me duly sworn, states: That he 40 years of age, and a resident of the State of Choctaw Nation and County of Tobucksey and his post office address is Alderson, I. T. that he is personally acquainted with Dellia McMillian & Payton Berryman who is an applicant for Citizenship in the Cherokee Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That he is personally acquainted with Dellia McMillian and Payton Berryman and has known the said Dellia and Payton for the past several years and know that from their physical appearance, complexion, habits and manners that she is an admixture of white, negro and Choctaw blood and is at least 1/2 Choctaw blood. Affiant further says that he has been living among Choctaw Indians all of his life and that he knows a Choctaw Indian when he sees one. Affiant further says that he thinks that the said Dellia McMillian and Payton Berryman are rightfully entitled to citizenship in the Choctaw Nation. Affiant further says that he has no interest in the result of this claim whatever.

Affiant further states: That he has known the said Dellia McMillian & Payton Berryman for the past several years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said Dellia and Payton indicate that they of Choctaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Dellia and Payton B. he believes the said Dellia Mc. & Payton B. to be a descendent by blood of the Choctaw Indian tribe, and a lineal descendent of the said Dellia Berryman McMillian and Payton Berryman.

Subscribed and sworn to before me this 11 day of March, 1899.

My Commission expires.

NOTARY PUBLIC.

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF Delia McMillian
 FOR ADMISSION TO CITIZENSHIP IN THE Choctaw NATION,
 STATE OF _____ }
 COUNTY OF _____ } SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Delia McMillian who, after being by me duly sworn, states: That she is 37 years of age, and a resident of the State of Choctaw Nation and County of Tobucksey and her postoffice address is Alderson, I. T.; that he is personally acquainted with Delia McMillian who is an applicant for Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That she is the daughter of Temple and John Berryman, and that she affiant is an admixture of white, negro and Choctaw blood and that she is at least one-half Choctaw blood and one-fourth white and one-fourth negro blood.

Affiant further says that she derives her Choctaw blood from her mother who was Temple Berryman who was born in Yellonborough, Miss. about the year of 1820 and that she is now living in the state of VA. that the said Temple is the daughter of the late Betty John a full blood Choctaw who lived and died in Mississippi and who was a citizen of the Old Choctaw Nation, and a member of the Choctaw Indian tribe.

Affiant further says that her mother was an admixture of negro and Choctaw blood and was at least one-half Choctaw blood and that her father, to-wit was John Berryman and who was (an) a white man.

Affiant further says that she intermarried with Ed McMillian and by such marriage one child was born and is now living namely Carey McMillian and who is an admixture of negro, white and Choctaw blood and is at least one 1/8 Choctaw blood. also one grand child to wit William Bell

Affiant further states: That she has known the said Betty John for the past several years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said (Affiant) Betty John indicate that she is of Choctaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Betty John he believes the said herself to be a descendant by blood of the Choctaw Indian tribe, and a lineal descendant of the said Betty John.

Subscribed and sworn to before me this 22 day of August 1895

My Commission expires _____

Delia McMillian
H. M. Livingston
 Notary Public.

1314
No. 1326
APPLICATION OF
Delia McMillan Et. Al.,
FOR
Enrollment in Choctaw Nation
Filed on the 9 day of Sept 1896
H. M. Jacoway
Sec. U. S. Com. Five Civil Tribes.
Attorney for Petitioner.
CAPITAL PRINT. South McAlester, I. T.

Respectfully

South McAlester
Ind. Terr.

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

DELIA McMILLIAN Et. Al., PETITIONER, VS. CHOCTAW Nation, Indian Territory. RESPONDENT. APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner Delia McMillian states that Betty John was a Choctaw Indian by blood, was duly recognized by the proper authorities as such in the old Choctaw Nation, now Mississippi and enjoyed all the rights, privileges benefits and annuities of other Choctaw Indians by blood in the said Choctaw Nation or Tribe of Indians, and that the name of the said Betty John appears, or should appear upon the authenticated rolls of the said Choctaw Indians for the year 18.

That petitioner is a lineal descendant of the said Betty John to-wit: I am 37 years of age I am the daughter of Temple Berryman and John Berryman, and am an admixture of negro and Choctaw blood and white blood and am at least one half Choctaw blood and one-fourth negro blood and one-fourth white blood.

Applicant further says that she derives her Choctaw blood from her mother who was Temple Berryman and who was born in Yellonbough Miss, about the year of 1820 and that she is now living in the state of that the said Temple was is the daughter of the late Betty John a full blood Choctaw who lived and died in Mississippi my mother was a half blood Choctaw and half negro. That the said Betty was a citizen of the Old Choctaw Nation and a member of the Choctaw Indian tribe. My father was an admixture of white and Choctaw and was at least one Choctaw blood. John Berryman a white man.

Applicant further says that she intermarried with Ed McMillian and by such marriage one child was born and now living mentioned below applicant subsequently intermarried with Fred Reitz said child is an admixture of negro and Choctaw blood and is at least one half Choctaw blood. That under the constitution, laws, usages and customs of the said Choctaw Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Choctaw Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Choctaw Indians by blood.

That there are now living legal descendants of your said petitioner one persons, as follows, to-wit:

Carey McMillian, daughter, a female, and 18 years of age William Bell, Grandson, a male, and 2 years of age

Wherefore, the premises considered, your petitioner prays that her name, with those of

..... said descendants to-wit: Carey McMillan and William Bell

and Delia McMillan be enrolled and admitted to all the rights, benefits, privileges and immunities of other Choctaw Indians, in and to the Choctaw Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

Delia McMillan

ATTORNEYS FOR PETITIONERS.

The aforementioned petitioner, Delia McMillan, says that the statements set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Delia McMillan
Petitioner.

Subscribed and sworn to before me, this 22 day of August, 1896.

M. M. Williams
Notary Public.

No. 1326

APPLICATION OF

Delia McMillan Et. Al.

Enrollment in

Choctaw Nation

Filed on, the

9 day of Sept 1896

H. M. Jacobson

Sec. U. S. Com. Five (4) Tribes.

Attorney for Petitioner.

CAPITAL PRINT. South McAlester, I. T.

Rejected

Frank McMillan
and Son

No.

—CLAIM OF—

Rebecca Mc Millan

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

W. H. Jewell
Dep.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Delia McMillan

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence shows that claimant is of negro and Choctaw blood, but does not show that she is a Registered Choctaw Freed-woman. The proof is insufficient to show the fact that she is one-eighth blood Choctaw.

By

The Choctaw Nation
Stuart Gordon & Hailey
Its Attorneys.

End

1896 Choc 1315

1896 Choc 1315

315

119

NO.

CLAIM OF

Lula McSkinner
For Choctaw Citizenship

ANSWER.

Filed Oct. 19, 1896.

W. W. J. J. J.
Sey

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Lula McKinnon

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

No application or complaint has been filed by the claimant in this case. The evidence shows that the mother of claimant from whom she claims Indian blood was married in the State of Arkansas, and after the death of her husband lived in the State of Arkansas until the time of her death, and abandoned all claim to rights in the Choctaw Nation, and ceased to affiliate with the Tribe.

The evidence is not sufficient to show that the claimant is one-eighth Choctaw blood, and does not show that she now lives in the Indian Territory.

This claim was received by Gov. Gardner on Sept. 18, 1896.

The Choctaw Nation
By Stuart, Gordon & Bailey
Its Attorneys.

No. 13152

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Lula McKinnon Etal

VS.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED AND FILED

vs. United States Nation, as follows:

Application

100

2000

WITNESS my hand and official seal at _____

this the 10th day of July 1899

f 317. 189
P. Blower

No 1315-
Lula McKinnon & Co
Choctaw Nation

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
G. R. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., *Feb 1* 1897.

To The Honorable Dawes Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that Lula McKinnon et al
has taken an appeal to this court from the decision rendered by you
on the application of Lula McKinnon Mistle
McKinnon, Wm A. McKinnon et al
vs the Choctaw Nation, for enrollment as a citizen of said nation.

You will at the earliest time practicable, transmit to
this court a transcript of all the entries on your docket relating
thereto, together with the original papers, depositions and testimo-
ny therein, and your decision on said application.

Yours very respectfully.

P. B. Stoner

CLERK.

End

1896 Choc 1316

1896 Choc 1316

136

No. 1316

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mrs Susan C Malone

VS.

Choctaw Nation.

Received and filed this

day of

189

Secretary.

REVISOR JOB PRINT PORT SMITH

FILED

FEB 22 1891

J. H. [Signature]

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of
Susan C. Malone vs. *Choctaw* Nation, as follows:

Application & Evidence
Answer
Certified Copy, returned
Judgment.

WITNESS my hand and official seal at *Admore*
this the *22* day of *Feb.* 189*7*
Joseph Phillips
clerk

End

1896 Choc 1317

missing

1896 Choc 1317

REGISTRY RECEIPT.

Post Office at *Caulington End Len*
Registered Letter ^{Parcel} No. *26-* Rec'd *August 25th, 1894*
of *John D. McClary Westa Ark*
addressed to *Gen Jeff Gardner*
Eggleston End Len
H. D. Bush, P. M.

Indian Territory }
Central Dist }

I John W Robinson a Notary
Public within and for the Central
Dist of the Indian Territory
do hereby Certify that on the 25th
day of August 1896 I wrote the applica-
tion of John D M Clary and the aff-
idavits of Elizabeth Casey John
Casey and John R Fisher and put true
copies of the same in an Envelope and
sealed it up myself and registered
it at the Postoffice at Cowlesville
D. T. and addressed same to Hon Jeff
Gardner Principal Chief of the Cheate
Nation Eagle Town D. T. That
registry receipt # 26 received
from the Postmaster here attached
is a receipt for said package
which contained true copies of the
application of John D M Clary and of
the affidavits of Elizabeth Casey John
Casey and John R Fisher in support of same
Witness my hand and seal
on this 5th day of Sept 1896

John W Robinson
Notary Public
for the Central Dist of
the Indian Territory

Cowlington D.T.
Aug 24 1896

To The Hon Dawes Commissioner
Vicksburg D.T.

Your petitioner John D. McCloskey
aged 53 years for and in behalf of
myself and family & my heirs who are
residents of Arkansas. My post
office address is Vicksburg Franklin
County Arkansas. I make this
application to your honorable
body for the purpose of being
placed on the revised rolls of
the Choctaw Nation and of those en-
titled to share in the distribution
of funds and allotments of lands
in the Choctaw Nation, by virtue of
their Choctaw blood

and I herewith submit the names of
my family

My wife Naomi McCloskey aged 49
years My son W. R. McCloskey aged
25 years. My son Geo. F. McCloskey
aged 22. My daughter Mary McCloskey
aged 20 years My daughter Dorinda
McSwitt aged 18 years. Her
husband Geo. Switt aged 26.
My son Luther W. McCloskey aged 13
years My son Thomas J. McCloskey
aged 9 years. Descendants of

me a Choctaw Indian. My
Grandmother Julia McElroy
was a sister to Elizabeth Leasey.
My Grandmother was Anna
Fisher who was Choctaw Indian
by blood to the best of
my knowledge & belief
John D. McElroy

Subscribed and sworn to before
me this 24th day of August
1896

John W. Robinson
Notary Public

Indian Territory
Central Dist

Personally appeared before
me a Notary Public within and from
the Indian Territory of John Casey
who after being duly sworn according to
law deposited and says I am
about 69 years of age my post office
address is Burgevin Ind. I
am personally acquainted with
John D McClary and that Julia
McClary is his mother and a
sister to my wife Elizabeth Casey
witness my hands this 24th day of
August 1896

Witness to signature of John D McClary
S. H. Firestone
Thomas Edwards

Subscribed and sworn to before
me this 24th day of August 1896
John W. Robinson
Notary Public

Indian Territory
Central Dist

Personally appeared before
me a Notary Public within &
for the Indian Territory
John R. Fisher who after being
duly sworn according to law
deponent and says, that he is a
resident of the Choctaw Nation
post office address is Cache
Ind. Ter. that he is 73 years of
age. I was personally
acquainted with John D. McChesney
and that his mother Julia McChesney
was a daughter of James & Ann
Fisher and a sister to Elizabeth
Casey, who was Choctaw &
Cherokee Indians by blood
witnesses my hand this 24th day
of August 1896.

John R. Fisher

Subscribed and sworn to before
me this 24th day of August 1896

John M. Robinson
Notary Public

12
760 1372

John D. McClary
Choctaw Nations

Filed Sept. 9th 1894
A. S. McKeown
Comm

Repetur

Indian Territory
Central Dist.

Personally appeared before
me a Notary Public within and
for the Indian Territory
Elizabeth Casey who after being
duly sworn according to law
deponent says I am about 7 years
of age my first officer and name is
Bergam Smith. I was personally
acquainted with John D. M. Coley and that his
mother Julia M. Coley is my sister & a daughter
of James M. Fisher. James Fisher was a
Cherokee, Creek Indian by blood. Annie
Fisher was a Cherokee. Annie Fisher was the
daughter of James & Nancy Husley. Nancy
Husley was a sister to James Terrell
who was also a Cherokee Indian by
blood.

witness my hand this 2nd day of August 1896
witness to signature Elizabeth Casey

J. B. Dickerson
J. A. Keith

Subscribed and sworn to before
me this 2nd day of August 1896

John W. Robinson
Notary Public

1317

No.

—CLAIM OF—

John & Mrs. L. L. L.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Oct. 7, 1896,
H. W. J. J. J.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF John D. McClary.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The proof in this case is insufficient and so remote.
The applicants live in the State of Arkansas, and have never
lived in the Indian Territory, and there is no evidence of marriage according to Choctaw law.

John D. McClary.

By

John Choctaw Nation
Stuart Gordon & Son
Its Attorneys.

End

1896 Choc 1318

1896 Choc 1318

South McAlester, I. T. Sept. 6th 1896.
Received of J. P. Mull n papers purporting to be copies of
petition of William Morris for citizenship in the Choctaw Nation and
affidavit of H. H. Rogers to support said claim.

Stuart Gordon & Bailey
Attys for Choctaw Nation.

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:- The undersigned, your petitioner, for and in behalf of *William Morris & Wife* and *their* children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their *Cherokee* blood. And grounds upon which *this* claim is based are as follows, to-wit: *Chactaw*
That *William Morris*, your petitioner is the son of *Wataun Morris* a half Blood *Chactaw* Indian, and the mother of *William Morris*, your petitioner was a $\frac{1}{4}$ *Chactaw* Indian, which gives *William Morris*, your humble petitioner $\frac{1}{2}$ Indian blood in his veins. Your humble petitioner states further in this his application that his entire family has always been considered Indians and he further states that he feels entitled to all the rights of the *Chactaw* Indians.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

William Morris & Wife
Applicant.

NAMES.	AGES.	RELATIONSHIP.
<i>Nannie Morris,</i>	<i>10 months</i>	<i>$\frac{1}{2}$ Indian,</i>

State of Mississippi
Indian Territory *County of Neshoba*
Personally appeared before me, the undersigned, a Notary Public within and for the *said* *County & State* and aforesaid *William*, who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

Subscribed and sworn to before me this the *22* day of *August*, 1896.

My commission expires on the day of 18....

Notary Public
GALLIOW STAR PRINT.

In Matter of Petition and Memorial
of William Morris
For Admission to Citizenship in the
Choctaw Nation

State of Mississippi }
County of Neshoba } Personally Appeared
me an Acting

Justice of the Peace in and for said
County H H Rodgers who swears to the
following facts that he is a Citizen
of Mississippi and County of Neshoba
that he is personally acquainted with
William Morris who is an applicant
for Citizenship in the Choctaw Nation,
Affiant further states that he knows
William Morris for more than twenty
one years knew his father Watson
Morris who is a half Blood Choctaw
Indian and is still living in this
community and affiant further states
and swears that he also knew the

Mother of William Morris
 who was known by the name of
 Posumma Morris who was a three
 Quarter Indian Affiant further swears
 that said William Morris ^{he} every Apperance
 of a full Blood ^{Choctaw} Indian and that he is
 known and Recognized as an Indian
 by Neighbors and Acquaintances and the
 Public generally believes him to be an
 Indian belonging to the Choctaw tribe
 and that ~~his~~ ^{the} complexion and Physical
 Apperance of the said William Morris
~~and~~ indicates that ~~they~~ ^{he} belongs to the
 Choctaw Tribe of Indian Affiant
 further states that from the above facts
 and circumstances and ~~from~~ ^{from} what he
 has heard and knows of his own
 Personal Knowledge William Morris
~~and~~ ^{he} knows him ^{to be} Decendant by Blood
 of the Choctaw Indian tribe

No. 1446

1878

Com Morris ~~et al~~

v.

Choctaw Nation

Filed 9th Sept. 1896
H. M. Jewway
Clerk

Replied

J. O. Mullen
att'y

vs M. A. Lister
Jury Pen

3

Subscribe and swear to before
me this the 22nd day of August 1896

Signed } H. N. Rogers,
~~My Commission expires~~
Sworn and subscribed before me
an Acting Justice of the Peace
In and for the County of Meacham.
John, Corbin J.P.

No.

—CLAIM OF—

William Morris

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1906.

W. W. January
J. H.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF William Morris

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The proof in this case is wholly insufficient, and

is based on hearsay.

The Choctaw Nation
By *Shuart Gordon & Harley*
Its Attorneys.

End

1896 choc 1319

1896 choc 1319

REGISTRY RECEIPT

Post Office at

Registered Letter Parcel

No. 50 Rec'd



, 189

of C. A. Moss

One Letter

addressed to

For Choctaw Nation
Tuskahoma, I. T.

L. M. Garrett, P. M.



F. P. BOWIE, CLERK.

LEAKE COUNTY.

Carthage, Miss., Sept 2nd 1891

I, J. H. Wallace do solemnly swear
that on the 2nd day of September 1891 I saw
a package registered at the post office at
Carthage, Miss. addressed to the Governor of
Mississippi, the Choctaw Nation, Puskaho - ~~Ind. Ind.~~
That said receipt, receipt, receipt, receipt, receipt, receipt,
is attached, is a receipt for said package,
and is a true and correct copy of the application of
Charles F. Ford, and of the affidavits
of J. H. Wallace and of J. H. Wallace
in support of said application.

J. H. Wallace

Received and submitted
for recording Sept 2nd 1891
F. P. Bowie
Clerk

POOR ORIGINAL -
BEST AVAILABLE COPY

Charles, Alfred, Moore

To the Hon. Secy of the Interior
 Wash. D. C.
 Sir:

POOR ORIGINAL -
BEST AVAILABLE COPY

The Applicant would further state
in his claim that he is of the class
of half blood, being the son of
a white man and a Native American
woman. The said land has been
conveyed to Alfred Davis one of the
Choctaw Indians by blood and a white
man, James L. Linnard of the
Commission would ask the
Commission to say whether or not
on the ground that he is a Choctaw Indian
of blood and to enroll him in the roll
of the Choctaw Indians the Commission
The Choctaw Nation

To our beloved Mary
 21st Oct 1876
 D. F. Bowie
 Green Bank

POOR ORIGINAL -
BEST AVAILABLE COPY

#3487

Charles Alfred Moss
as

Choclat

FILED
A. S. J.
CONFIRMED

Feb 1907

Conthape
Miss

NO.

CLAIM OF
CHAS. W. MOSE

FO CHAS. W. MOSE.

ANSWER.

*Filed Oct 9, 1896,
The Lacoway
Co.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Charles M. Moore

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case, defendant has filed a motion to dismiss the claim of the plaintiff, Charles M. Moore, on the ground that the plaintiff has failed to establish his citizenship in the Choctaw Nation.

and the plaintiff has failed to establish his citizenship in the Choctaw Nation.

The Choctaw Nation
By Stuart Gordon & Hailey
Its Attorneys.

End

1896 choc 1320

1896 choc 1320

South McAlester, I. T. Sept. 8th 1898.
Received of J. P. Mulan papers purporting to be copies of
petition of Ellen Motley for citizenship in the Choctaw Nation and
affidavits of Rebecca Williams, Susan Reece and Ellen Motley to support
said claim.

Must Gordon Hailley
Attys for Choctaw Nation.

AFFIDAVIT OF WITNESS.

Ellen Motley

IN THE MATTER OF PETITION AND MEMORIAL OF

FOR ADMISSION TO CITIZENSHIP IN THE Choctaw NATION,

STATE OF Choctaw Nation

COUNTY OF Tobucksey

SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Ellen Motley

who, after being by me duly sworn, states: That she is 39

years of age, and a resident of the State of Arkansas and County of Sebastian and

postoffice address is Fort Smith, Ark.

that is personally acquainted with

Ellen Motley

who is an applicant for Citizenship in the

Choctaw

Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That she is an admixtur of negro and Choctaw blood and is at least 1/2 Choctaw Nation, that she was born in the Choctaw Nation and that she has lived in and out of the Choctaw Nation all of her life and that she derives her Choctaw blood from her father the late Henry Johnson, who was a full blood Choctaw and a recognized citizen of the Choctaw Nation and member of the Choctaw Indian tribe and who was born in and died in the Choctaw Nation in 18....

Affiant further says that she intermarried with Rance Emberso and by such marriage one child was born mentioned in affiant application and that the said child is an admixture of negro and Choctaw blood and is at least 1/4 Choctaw blood, said Rance died and affiant subsequently intermarried with N.ah Motley with whom she is now living

Affiant further states: That she has known the said for the past years, and knows that has been and is recognized by her neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said affiant indicate that she is of Choctaw Indian blood and descent.

Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Henry Motley she believes the said herself to be a descendant by blood of the Choctaw Indian tribe, and a lineal descendant of the said

Henry Johnson

Subscribed and sworn to before me this

8

day of

Ellen Motley

Notary Public.

My Commission expires.

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF **Ellen Motley**
 FOR ADMISSION TO CITIZENSHIP IN THE **Choctaw** NATION,
 STATE OF **Choctaw Nation** }
 COUNTY OF **Tobuckey** } SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared **Susan Reece** who, after being by me duly sworn, states: That **she** is **45** years of age, and a resident of the State of **Arkansas** and County of **Sebastian** and **her** postoffice address is **Fort Smith, Ark.** that **she** is personally acquainted with **Ellen Motley** who is an applicant for Citizenship in the **Choctaw** Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That **she** has known the said **Ellen Motley** for the past **39** years and all of her life and knows that **she** has always been recognized by her acquaintance, neighbors and the public generally as having **Choctaw** Indian blood and at least **1/2** **Choctaw** blood and that **she** has always been recognized as the daughter of the late **Henry Johnson** a full blood **Choctaw** Indian and a recognized citizen of the **Choctaw** Nation and a member of the **Choctaw** Indian tribe, and who lived and died in the **Choctaw** Nation.

Affiant further says that the said **Ellen** intermarried with **Rance Emberson** and by such marriage on child was born and is now living and that the said child is an admixture of negro and **Choctaw** blood and is at least **1/4** **Choctaw** blood.

Affiant further states that the said **Ellen** **Motley** and child are rightfully entitled to citizenship in the **Choctaw** Nation.

Affiant further states: That **she** has known the said **Ellen Motley** for the past **39** years, and knows that **she** has been and is recognized by **her** neighbors, acquaintances and the public generally as having **Choctaw** Indian blood, and that the complexion and physical appearance of the said **Ellen Motley** indicate that **she** is of **Choctaw** Indian blood and descent.

Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said **Henry Johnson** he believes the said **Ellen Motley** to be a descendant by blood of the **Choctaw** Indian tribe, and a lineal descendant of the said **Henry Johnson**.

Subscribed and sworn to before me this

day of

Notary Public.

My Commission expires

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF Ellen Motley
Choctaw
FOR ADMISSION TO CITIZENSHIP IN THE _____ NATION,
STATE OF Choctaw Nation
COUNTY OF Tobucksey } SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Rebecca Williams who, after being by me duly sworn, states: That she is 44 years of age, and a resident of the State of Choctaw Nation and County of Tobucksey and postoffice address is South McAlester, I. T.; that she is personally acquainted with Ellen Motley who is an applicant for Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That she is a Choctaw Indian by blood and that she has known the said Ellen Motley for the past 39 years and all of her life and that she knows that the said Ellen Motley is at least 1/2 Choctaw blood and that she is the daughter of the late Henry Johnson.
Affiant further says that she was personally acquainted with the late Henry Johnson who was a Choctaw Indian by blood and was a full blood Choctaw and was a recognized citizen of the Choctaw Nation and a member of the Choctaw Wax Indian tribe and that he lived and died in the Choctaw Nation about the year of 1888.
Affiant further says that she said Ellen Motley is rightfully entitled to citizenship in the Choctaw Nation.

Affiant further states: That she has known the said Ellen Motley for the past 39 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said Ellen Motley indicate that she is of Choctaw Indian blood and descent.
Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Henry Johnson he believes the said Ellen Motley to be a descendant by blood of the Choctaw Indian tribe, and a lineal descendant of the said Henry Johnson.

Subscribed and sworn to before me this 8 day of Sept 1896

My Commission expires _____

Rebecca Williams
Notary Public

1820
~~74408~~
No.

APPLICATION OF
Ellen Motley Et. Al.

FOR
Enrollment in Choctaw Nation

Filed on the 9 day of Sept 1896
H. C. Jacobson
Sec. U. S. Dist. Ct.
J. P. Mullen
Attorney for Petitioner.

CAPITAL PRINT, South McAlester.

Reactive

1820
W. C. Mullen
Notary Public

APPLICATION FOR ENROLLMENT

Before the United States Commission to the Five Civilized Tribes of Indians:

Ellen Motley Et. Al.
PETITIONER,
VS. Choctaw Nation, Indian Territory, RESPONDENT.
APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner Ellen Motley states that Henry Johnson was a Choctaw Indian by blood, was duly recognized by the proper authorities as such in In the Choctaw I. T. and enjoyed all the rights, privileges, benefits and immunities of other Choctaw Indians by blood in the said Nation or Tribe of Indians, and that the name of the said Henry Johnson appears or should appear upon the authenticated rolls of the said Choctaw Indians for the year

That the petition is a lineal descendant of the said Henry Johnson to-wit

That her post office address is Fort Smith, Ark. that she is 39 years of age that she is an admixture of negro and Choctaw blood and is at least 1/2 Choctaw blood that she derives her Choctaw blood from her father the late Henry Johnson who was a Choctaw Indian by blood and a recognized citizen of the Choctaw Nation and a member of the Choctaw Indian tribe and who was born in and that he died in the Choctaw Nation in the year of 18... That applicant intermarried with Rance Emberson and by such marriage one child was born and is now living mentioned here in below an that the said child is an admixture of negro and Choctaw blood and is at least 1/4 Choctaw blood, said Rance died and applicant subsequently intermarried with Noah Motley with whom she is now living.

That under the constitution, laws, usages and customs of the said Choctaw Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Choctaw Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities of other Choctaw Indians by blood.

That there are now living legal descendants of your said petitioner persons, as follows, to-wit:

Orange Motley a son and 25 years of age
a and years of age
a and years of age
a and years of age
a and years of age
a and years of age
a and years of age
a and years of age
a and years of age
a and years of age
a and years of age
a and years of age

Wherefore, the premises considered, your petitioner prays that her name, with those of

her said descendants to-wit: Orange Motley,

and Ellen Motley be enrolled and admitted to all the rights, benefits, privileges and immunities of other Choctaw Indians, in and to the Choctaw Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence namely:

and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner will ever pray, etc.

J. P. Mullens
Attorneys for petitioners.

The aforementioned petitioner, Ellen Motley, says that the statements set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Ellen Motley Petitioner.

Subscribed and sworn to before me, this 8 day of March 1896.
R. M. Cunningham
Notary Public.

No. 1320
#4408
APPLICATION OF
Ellen Motley Et. Al.,
for
Enrollment in Choctaw Nation
Filed on the 9 day of Sept 1896
J. P. Mullens
Sec. U. S. at Wash. D. C.
Attorney for Petitioner.
CAPITAL PRINT, South McAlester.

Received

No.

—CLAIM OF—

Ellen Motley

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct. 11*, 1896
A. S. MCKENNON
COM'R

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Ellen Motley

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The proof in this case shows that the claimant is an admixture of Indian and negro blood.

ELLEN MOTLEY.

The Choctaw Nation
By *Stuart Gordon & Wailley*
Its Attorneys.

End

1896 Choc 1321

1896 Choc 1321

THE STATE OF MISSISSIPPI,

Tishahaw COUNTY.

IN THE CHANCERY COURT OF SAID COUNTY.

I, S. H. Stuhling

Clerk of the Chancery Court of

said County, do hereby certify that

J. M. Lankins

whose genuine signature appears to the annexed and foregoing Certificate of Acknowledgment, is now, and was at the date of said Certificate, an acting Justice of the Peace in and for said County, duly elected and qualified, according to law; that full faith and

credit are due to all his official acts as such, and that his said Certificate is in due form of law. & that he is authorized by the laws of this State to administer oaths & take acknowledgments.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the

seal of said Court, at my office, in Philadelphia this

3rd day of August 1896S. H. Stuhling
Chancery Clerk

Clerk.

D. C.

GEORGE RICHARDSON
LOUISVILLE, MISS.

H. H. ROGERS
PHILADELPHIA, MISS.

Richardson & Rogers x
Attorneys at Law.

PHILADELPHIA, MISS.

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State of Mississippi }
County of Meigs }

Personally appeared
before the undersigned ~~Chancery Clerk of Meigs County~~ ^{Chancery Clerk of Meigs County}
~~Justice of the Peace~~ in and for said
County, Cf. I ~~think~~ who makes affidavit
that he is personally acquainted with
Mrs Ellen Moore and has known her since
her birth. That the said Mrs Ellen Moore
is a half blood Choctaw Indian, her
mother Mrs Susan Birmingham, being
a full blood Choctaw Indian, the said
Mrs Susan Birmingham being the
daughter of Semmy and wife
Lucy, who were full blood Choctaw
Indians and who emigrated to the
Indian territory about the year 1850
and was afterwards returned to this
County and died.

Affiant further swears that in the
year ¹⁸⁷⁴ the aforesaid Mrs Ellen Moore
(Mc Birmingham) was lawfully married

GEORGE RICHARDSON
LOUISVILLE, MISS.

H. H. ROGERS
PHILADELPHIA, MISS.

Richardson & Rogers
Attorneys at Law.

PHILADELPHIA, MISS.

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affiant further swears that in
the year 1884 Mrs Ellen Moore
(ne Burnside) was lawfully mar-
ried to David Moore and that
neither she nor her said husband
were ever married before.

affiant further states I swear
that the following children have
been born to the said Mrs Ellen and
David Moore, since their marriage.

Names	ages	Relationship
Louella E Moore.	21	1/4
John M " "	19	1/4
Lizzie B " "	17	1/4
Callie H " "	15	1/4
Wisha N " "	13	1/4
Andrew J " "	11	1/4
Mattie J " "	9	1/4
Maggie M " "	7	1/4
Ruthie E " "	3	1/4
Willie M " "	1	1/4

affiant further states I swear that his,

"B"

GEORGE RICHARDSON
LOUISVILLE, MISS.

H. H. ROGERS
PHILADELPHIA, MISS.

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Attorneys at Law.

PHILADELPHIA, MISS.

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personal knowledge to be true as above
stated Affiant Maria Burnside, Affirmant
sworn to and subscribed before me the 1 day of August
1896-
John C. Smith
Justice of the Peace

GEORGE RICHARDSON
LOUISVILLE, MISS.

H. H. ROGERS
PHILADELPHIA, MISS.

Richardson & Rogers
Attorneys at Law.

PHILADELPHIA, MISS.

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State of Mississippi
County of Mehola

I Personally appeared
before the undersigned an acting Justice of the
Peace for said County, Mrs. Minnie
Turnside, who makes Affidavit
that she is personally acquainted with
Mrs. Ellen Moore and has known her since
her birth. — Thus the said Mrs. Ellen
Moore is a half blood Choctaw Indian
her mother, Mrs. Susan Birmingham,
being a full blood Choctaw Indian.
The said Mrs. Susan Birmingham
the daughter of Scamper and Lucy his wife
who were full blood Choctaw Indians
and who emigrated to the Indian Territory
about the year 1850, and who afterwards
returned to this County and died.
Deponent further swears that in
the year 1874 Mrs. Ellen Moore
(Ne Birmingham) was lawfully married
to David Moore, and that neither she

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Attorneys at Law.

PHILADELPHIA, MISS.

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nor her said husband were ever married before.

Affiant further swears that the following children have been born to the said Mrs Ellen and David Moore since their marriage.

Names	ages	Relationship
Canada G. Moore	21	1/4
John N. Moore	19	1/4
Lizzie B " "	17	1/4
Ellie H " "	15	1/4
Elisha N " "	13	1/4
Andrew J " "	11	1/4
Mattie J " "	9	1/4
Mary M " "	7	1/4
Ruthie E " "	3	1/4
Willie N " "	1	1/4

Affiant further swears that her knowledge of the foregoing fact is the result of her having lived for the past ~~46~~ 46 years in the same community with the foregoing parties and all the foregoing facts she knows of her own

GEORGE RICHARDSON
LOUISVILLE, MISS.

H. H. ROGERS
PHILADELPHIA, MISS.

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Knowledge of the foregoing facts
is the result of his living having
lived for the past 47 years
in the same community with
the foregoing parties, and all
the foregoing facts he knows
of his own personal knowledge
to be true as stated. *W. R. Shivers*

State of Mississippi, Personally appeared
Mesohela County *W. R. Shivers*
a member of Board of
Superior and District No. 1 of said County
John Lankin, who swears and
affirms the above facts as stated are
true to the best of his knowledge
Sworn and subscribed to this *W. R. Shivers*

The 1 day of August 1896

W. R. Shivers Member of the
Board of Superintendents

"A"

IDENTIFICATION

Richardson & Rogers
Attorneys at Law.

PHILADELPHIA, MISS.

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State of Mississippi,
County of Madison

Personally appeared
before undersigned a member of the
Board of Supervisors of District No. 5 in
said County, John L. Linsley, who
makes Affidavit that he is personally
acquainted with Mrs. Ellen Moore
and has known since her birth, he
performed the marriage ceremony
between Mrs. Ellen Moore, and her
husband, David Moore.

Thus the said Mrs. Ellen Moore
is a half blood Choctaw Indian
her mother Mrs. Susan Bunningham
being a full blood Choctaw Indian
The said Mrs. Lucie Scamha and
husband ^{Scamha} who were full blood ^{Choctaw} Indians
and who emigrated from this County
to the Indian Territory about the
year 1880, and who afterwards
returned to this County and died

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Attorneys at Law.

PHILADELPHIA, MISS.

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to David Moore and neither she nor
her said husband ~~was~~^{were ever} married before
Affiant, further swears that the follow-
ing children have been born to the
said Mrs Ellen and David Moore
since their said marriage.

names	Age	Relationship
David Moore	21	1/4
John N. Moore	19	1/4
Lezz. B. " "	17	1/4
Callie H. " "	15-	1/4
Erishia N. " "	13	1/4
Andrew J. " "	11	1/4
Mattie J. " "	9	1/4
Maggie M. " "	7	1/4
Ruthie G. " "	3	1/4
Willie N. " "	1	1/4

Affiant further swears that his
knowledge of the foregoing facts is
the result of him having lived for the
past 46 years in the same County

6"

W. J. W. W. W.

GEORGE RICHARDSON
LOUISVILLE, MISS.

H. H. ROGERS
PHILADELPHIA, MISS.

Richardson & Rogers
Attorneys at Law.

PHILADELPHIA, MISS.

189.

and community with the foregoing parties, and all of the foregoing facts he knows of his own personal knowledge to be true as stated. A. J. Galt (affiant)

State of Mississippi. Personally appeared
Neshoba County before me S. H. Stillinger
— Clerk of the Circuit Court in and for said County, A. J. Galt
who swears and affirms the foregoing facts
as stated above are true and correct to
the best of his knowledge and belief.

Sworn to and subscribed this the
31st day of July 1890

S. H. Stillinger
Clerk

No. 114

Petition for
Citizenship & Enrollment
by
David W Moore
wife
Ellen Moore

Filed Sept 9, 1896.

A. S. Muehlen
Court

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CABANISS, ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 25, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

The undersigned, your petitioner, for and in behalf of David and Ellen Moore and their children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which their claim is based are as follows, to-wit:

Ellen Moore the wife of David Moore. Being the daughter of Susan Birmingham a full blood Choctaw and her father being an Irishman, which makes Ellen Moore the wife of David Moore a 1/2 blood Choctaw. And her ten children are consequently 1/4 bloods or Quaternions. And that the Mother of father of Susan Birmingham who emigrated to Ind Ter in 1850 was full blood Choctaw Indian and that said Mrs. Ellen Moore as lawfully married to David Moore and they have ten living children named as follows:

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

John Sampkins "A" Mrs. Mariah B. Bunsides "B" and A. J. Hobbs "C"

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

David Ellen Moore
Applicant.

NAMES.	AGES.	RELATIONSHIP.
1 Ellen Moore	39	1/2 Choctaw blood
2 Lavada " " " "	21	1/4 " " " "
3 John W. " " " "	19	1/4 " " " "
4 Lizzie B. " " " "	17	1/4 " " " "
5 Callie H. " " " "	15	1/4 " " " "
6 Emma " " " "	13	1/4 " " " "
7 Andrew J. " " " "	11	1/4 " " " "
8 Mattie " " " "	9	1/4 " " " "
9 Maggie M. " " " "	7	1/4 " " " "
10 Ruth Moore & David Moore		1/4 " " " "

Personally appeared before me, the undersigned, a Notary Public within and for the... State of... and aforesaid David & Ellen Moore who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

Subscribed and sworn to before me this the... day of August, 1896.

David M. Moore
Notary Public.

John, Sampkins Just. of the Peace

Hawse Commission

POOR ORIGINAL -
BEST AVAILABLE COPY

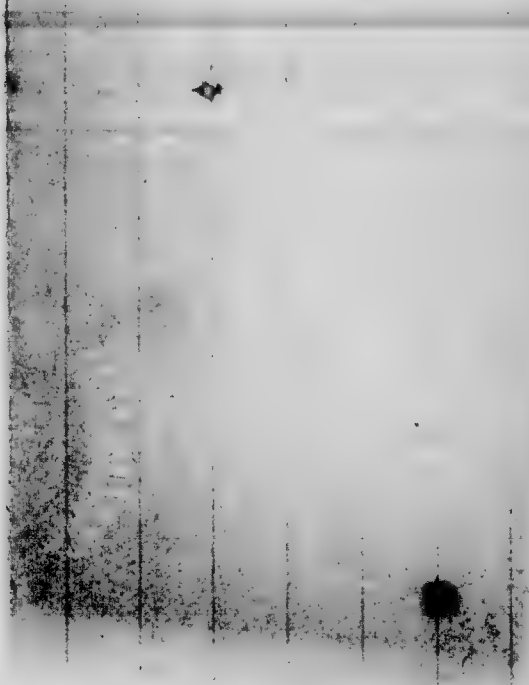
Hartshorne, I. I.
Aug. 1876.
To the Hon. House Comm.
I herewith mail
you the petition of one
Harid Moore and his
wife and children who
are pleading for recognition
as Chertaw Indians and
to have their names enrolled
as such. With the petition
I also inclose three depositions
from John Lankins, A. H. Habb
and Mariah Burnsides. I
once lived a neighbor to all
and can certify to the truth
of the same if it is needed.
I know Mrs. Ellen Moore to be
a blood Chertaw & but I
suppose the proof is sufficient.
I am yours &c. A. Frank Roff

POOR ORIGINAL -
BEST AVAILABLE COPY

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1

Certificate
of
Notary Public



Central District
United States Court
Indian Country
August 12th 1896

To the Hon. Dawes Commissioner

This is to certify that I have this
day sent by mail certified copies
of the inclosed petition and affidavits
to Jefferson Lynders Principal Chief
of the Choctaw Nation. Aug 12 1896
A. Frank
Notary Public Central Dist

POOR ORIGINAL -
BEST AVAILABLE COPY

THE STATE OF MISSISSIPPI,

Feshob COUNTY.

IN THE CHANCERY COURT OF SAID COUNTY.

I, *S. H. Stubling* Clerk of the Chancery Court of
said County, do hereby certify that *W. R. Sherrod*
whose genuine signature appears to the annexed and foregoing Certificate of Acknow-
edgment, is now, and was at the date of said Certificate, an acting ~~Justice of the Peace~~ *Member Board Supervisors*
in and for said County, duly elected and qualified, according to law; that full faith and
credit are due to all his official acts as such, and that his said Certificate is in due form
of law. *that he is authorized by the laws of this State to administer
oath & take acknowledgments*

IN WITNESS WHEREOF, I have hereto set my hand and affixed the

seal of said Court, at my office, in *Philadelphia* this*3rd* day of *August* 189*6**S. H. Stubling*
Chancery Clerk

Clerk.

D. C.

No.

—CLAIM OF—

David N. Moon et al

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED SEPT. 14 1896.

A. S. McKENNON

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

David N. Moore

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

*That there is no evidence to show
that claimant did not take lands in
Mississippi.*

*That claimant does not show that he has
ever resided in Choctaw Nation*

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys.

End

1896 Choc 1322

1896 Choc 1322

Applicant of
Hornedy Williams
J

uphold of Mitres

In the Matter of Petition and Memorial of
George Marian Maxmull
for Admission to Citizenship in the
Choctaw Nation
Indian Ry.

Before me the the undersigned a Notary Public
in and for the Southern District of
Richmond Co Indian Ny.

Presently appeared ~~Samuel~~ ^{Samuel} Wilburn Sr. who after being duly sworn by me. on his oath says that he was 84 years of age as near as he can recollect and that he was acquainted with one George Marion Maxum who resides at Fairbairn, P.O. Piekens Co. S.F. and is acquainted with all of his ancestors and knows him to be of Choctaw Indian Blood his Mother's name was ~~Hethie~~ ^{Hethie} Arnold who was a daughter of Scrushie Beachland who was a full Blood Indian (Choctaw) & (Chickasaw) and George W. Arnold who was half White & half (Cherokee) Indian. George Marion Maxum is a son of ^(Folsom) William Maxum who was known as William Maxum Folsom among the Indians. Called that after his Mother's name. She (his Mother was) was Nancy Folsom a full Blood Choctaw Indian who married William Maxum ~~on a white man~~.

Nancy Folsom was the daughter
of Nathaniel Catharine Folsom
Both full Blood Choctaw and are the
Folsom name was Sautab Senatoh a
(or white Cyamory) in American
and Keachland's name in Choctaw is
Chiffahoma (or red Fox in) American
George Maron Maxwell is a son of
William Maxwell Jr and said George Marion
Maxwell is at least one half Choctaw
and part Chickasaw Indian & part Cherokee
and part White Blood

Witness

of Howard
Ford.

his
Sonny & William
J. Ward

Sum and Suspended to insure the
This 18th Day Aug 1896
J. J. Carpenter

J. J. Carpenter
Notary Public
in South District of New York

in and for South Sister of Indiana

George Marion Maxum
for Admission to Citizenship in the
Choctaw Nation
Indian Ry.

Before me the undersigned a Notary Public
in and for the Southern District of
Peters Co Indian Ry.

Personally appeared ~~Howard~~ ^{Howard} William S.
who after being duly sworn by me on
his oath says that he was 8th years
of age as near as he can recollect and
that he was acquainted with one George
Marion Maxum who resides at
Peters P.O. Peters Co I.T. and is acquainted
with all of his ancestors and knows him
to be of Choctaw Indian Blood his Mother's
name was ~~Heche~~ ^{Heche} Arnold who was a
daughter of Geruthin Beachland who
was a full Blood Indian (Choctaw) & (Chickasaw)
and George W. Arnold who was half White &
half (Cherokee) Indian. George Marion Maxum
is a son of William Maxum ^(Falsom) who was
known as William Maxum Falsom among the
Indians. I asked that after his Mother's name
(his Mother was) was Nancy Falsom
a full Blood Choctaw Indian who married
William Maxum or a white man.

Nancy Falsom ~~was~~ ^{was} the daughter
of Nathan & Catherine Falsom
both full Blood Choctaw Indians the
Falsom name was ~~Antab~~ ^{Antab} Senatka
(a white cypress) in American
and Beachland's name in Choctaw is
Chiffahoma (or red Fox in) American
George Marion Maxum is a son of
William Maxum Jr and said George Marion
Maxum is at least one half Choctaw
and part Chickasaw Indian & part Cherokee
and part White Blood

Witness

{ J. J. Howard } ^{his} Howard & William S.
F. B. Ford: ^{Mark}

Sworn and Subscribed to before me
This 18th Day Aug 1896

J. J. Carpenter
Notary Public

in and for Southern District of Ind Ry.

[FRAME 2]

No.

—CLAIM OF—

G. M. Maxwell

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED SEPT. 2 1892

A. S. McKEITHEN

COM'R

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

G. M. Maxwell

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

G. M. Maxwell.

The Choctaw Nation
By *Stuart Gordon & Bailey*
Its Attorneys.

The State of Indian Nations } before me J. T. Halbrook
Pickens County } a Notary Public in and
for the Southern Division
Indian Territory On this day personally
appeared Frank A. Ford who after being
by me duly sworn on his oath says that he
placed a copy of the accompanying affidavits
of S. Comedy Williams and Esade Williams and
of G. M. Maxwell in the matter of memorial and
petition of G. M. Maxwell in the United States
mail at Kellie stamped and properly direc-
ted to the Governor of the Choctaw Nation at
Muskogee Indian Territory F. A. Ford.

Sworn to and subscribed before me on this the
21 day of August 1896

J. T. Halbrook
Notary Public
In and for the Southern Division

Application for Enrollment

To Hon. Henry L. Dawes Frank C. Armstrong Archibald S. McKinnon Thos. B. Cabness and Alexander B. Montgomery United States Commissioners authorized by act of Congress of June 10th 1874 to hear and determine claims for citizenship in the Choctaw Nation.

Gentlemen:-

The undersigned your petitioner on behalf of George Marion Maxwell and his children this day makes application to you for the purpose of being placed on the revised rolls of the Choctaw Indians and of those allowed to share in the distribution of funds and allotment of lands in the Choctaw Nation by virtue of their Choctaw blood, and grounds upon which his claim is based are as follows to wit: viz

My name is George Marion Maxwell my age is 45 years, my Post Office address is Keller Pictious County Indian Territory. I am an admixture of white and Choctaw blood. I am the son of William Maxwell Jr known among the Indians as William Golsom. My mothers name was Bethie Maxwell her maiden name was Bethie Arnold. Known among the Indians as Bethie Beachland. She was a daughter of G. B. Arnold and Gerutha Arnold. Gerutha Arnolds maiden name was Gerutha

Peachland, who was a ~~half~~ blood Choctaw
and ~~Cherokee~~ ^{Cherokee} who was my Grand mother on my
mothers side. my mother was $\frac{1}{2}$ Choctaw
 $\frac{1}{4}$ Cherokee and $\frac{1}{4}$ white. William Maxwell
Jr ~~father~~ was the son of William
Maxwell Sr. who was a white man who
married Nancy Tolson a full blood
Choctaw. which made William Max-
well Jr my father a half blood Choctaw
and Indian which makes me at least
a half breed Choctaw Indian.

That I intermarried with Delphine
Burdale a one $\frac{1}{2}$ Cherokee Indian and $\frac{1}{2}$
white about 1898 under the Cherokee
Law with who I now live by such
marriage there has been born and
now lives the following named children
whose names and ages are annexed below
and said child is an admixture of
of white and Choctaw and Cherokee
blood and is at least $\frac{3}{8}$ Choctaw and
 $\frac{3}{8}$ Cherokee blood

and in support of said claim
your petitioner herewith submits the
affidavits depositions and record ev-
idence.

and respectfully awaits the
time and place when my application
shall be heard and tried

Respectfully Submitted

E. M. Maxwell

applicant

Name	Age	Relationship
William C Maxwell	4	Son

Indian Territory }
Southern District }

Personally appeared before me, the undersigned, a Notary Public within and for the Southern Division Indian Territory George M Maxwell who after being by me duly sworn states that the matters and things set forth in the foregoing petition are true as he truly believes them

G. M. Maxwell

Subscribed and sworn to before me this the 17 day of August 1896

J. T. Hulbrook
Notary Public

My commission expires the 7 day of Feb 1900

No. 234.

Georg Meisinger
Chapman St

v.

Robertus Adams

722 Sept. 9-1896

1896.

St. W. January Sunday

Rejected

Keller, J. J.

with commission in 1874

affidavit of witness
In the Matter of Petition and Memorial of George M.
Maxwell for Admission to Citizenship in the Choctaw
Nation.

The State of Indian Territory, Before me J. T.
Pickens County, J. H. Brock, Notary
Public in and for said

Grand Judicial Division Indian Territory
on this day personally appeared Isaac
Williamson, who after being by me duly
sworn on his oath, says that he was 93
years old the 25 day of December last
that he is acquainted with George M. Maxwell
who resides at Kellie Indian Territory
and is well acquainted with his
ancestors and knows him to be of
blood. His father's name was William
Maxwell Jr. known among the Indians
as William Folsome. His brother is Leslie
Maxwell's maiden name was Eliza
Arnold. Her mother's maiden name was Gerathie
Beachland. Gerathie Beachland was married
to G. R. Arnold. William Maxwell Jr. was
the son of William Maxwell Sr. who
married Nancy Folsome daughter of
Nathan Folsome and Catherine Folsome
whose maiden name was Catherine
Beachland. Nathan Folsome was
house name was Gerathie or a full blood
a full blood Choctaw Indian whose
Catherine Beachland was a full blood
Choctaw Indian. whose home name is
Chillashoma (or Red Fox American)
Nancy Folsome was a daughter of Nathan
and Catherine Folsome who was a
full blood Choctaw Indian who married
William Maxwell Sr. a white man.

William Maxwell Jr was a son of William Maxwell Sr and Nancy Tolsonne.

George Marion Maxwell is the son of William Maxwell Jr and Bethie Arnold

George M. Maxwell's mother's maiden name was Bethie Arnold daughter of Geruthie Peachland and who was one half Cherokee and one half Chickasaw. ^{Indians} G. W. Arnold was one half Cherokee and one half white man.

Witness

H. A. Ford.

T. J. Howard

Isaac ^{his} Williams
mark

Sworn to and subscribed before me on this the 14 day of August 1896

J. T. Halbrook

Notary Public Third Judicial
Division Indian Territory

My commission expires Feb 7, 1900

No. 234.

1322

George Marion
Maxwell Jr

v.

Leontine Watson

Filed Sept 9 1896

1896.

Wm. J. Conway

Registered

H. Allen, S. J.

End

1896 Choc 1323

1896 Choc 1323

REGISTRY RECEIPT.			
Post Office at	<i>Stamington I.T.</i>		
Registered Letter Parcel	No. <i>704</i>	Rec'd <i>9/7</i>	, 189 <i>6</i>
of	<i>E. J. McDonald</i>		
addressed to	<i>Jefferson Gardner Care Town I.T.</i>		
	<i>Am. Express, P. M.</i>		

Commission to the Five Civilized Tribes.

VINITA, IND. TER. *Sept 7* 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, *W. H. Stallings*, do solemnly swear that on the *7* day of *September*, 1896, I saw a package registered at the postoffice at *Stamington I.T.*, addressed to *Jefferson Gardner* Governor or Chief of the *Nation* Nation, *Easttown* Ind. Ter., that registry receipt, No. *704*, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of *E. J. McDonald* and of the affidavits of *E. J. McDonald* and *W. H. Stallings* in support of same.

Subscribed and sworn to before me, on this *7* day of *Sept* 1896.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly received for by the Chiefs and Governors. *Public*

For the Commission.

#2110

R. J. McDonald

vs

Choctaw Nation

Filed Sept 8th / 896

As. McKinnon

Comm.

Registered

Strongtown
N.H.

To The State Laws Commissioners
Vineta O.T.

Personal appeared Before me a Notary Public
E.J. McDonald Being first sworn
according to Law States as follows
State How you was married

I was married before there was any
Law granting Licenses to marry all we had
to do was to get a minister to
solemnize the rite of matrimony &
we was married we was married
at South Canabian. O.T. one 16 day
of July 1888 I married Miss Minnie
Smallfield who is a citizen of
the Choctaw nation By Blood
we have one child a live her
name is Ader McDonald

Witness (Sign) E.J. McDonald
James Self

Subscribed and Sworn to Before me a Notary
Public in and for the Central Division of
the Indian Territory my commission Expires
3 day of February 1900 this 29 day of August
D. N. Self
Notary Public

NO.....

CLAIM OF
E. J. McDonald
For Choctaw Citizenship

ANSWER.

FILED OCT. 22 1896
H. M. JACOWAY,
SECRETARY-

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

H. T. McFARLAND

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

No evidence has been filed to support this claim.

This claim was received by Gov. Barlow Sept. 23, 1904.

The Choctaw Nation
By *Stuart Gordon & Kirby*
Its Attorneys.

End

1896 choc 1324

1896 choc 1324

REGISTRY RECEIPT.

Post Office at Harishorne, Ind. Ter.
Registered ^{Letter} _{Parcel} No. 119 Rec'd 9/9 1896
of A. F. Rose
Per
addressed to For Jefferson Gardner
Bridge Street S. C.
J. M. Martin P. M.

I, J. W. Vawter do solemnly swear that
on the 9th day of Sept. 1896 I saw a package
registered at the Postoffice at Hartshorne
I. T. addressed to Jefferson Indian Sovereign or
chief of the Chottaw Nation Eagletown I. T.
that registry receipt no 119 received
from Postmaster hereto attached is a
receipt for said package which
contained true copies of the applications of
J. W. McMurtry and of the affidavits of
and J. Nelson
in support of same

J. W. Vawter

Sworn and subscribed to before me on
this 9th day of Sept. 1896

A. H. Rapp
Notary Public

6788
1324

J. H. Dwyer

Choctaw Nation

FILED SEPT. 9 1896 ☆
A. S. MCKENNON
COM'R

Registered

Given to and subscribed before
me on the 8th day of Sept 1892
J. H. Dwyer
Notary Public

Application for Enrollment

Am Hose Commissioner

Your petitioner, Wallace

McMurtrey and his wife
Lucy McMurtrey respectfully
represent unto your Honor
that the said J. W. McMurtrey
is a chertown citizen
by blood and enjoys
all rights benefits and
privileges as such
he received his money
in the horse district
pay ^{in 1893} to Chertown
Imp ^{in 1893}. Also represent
that the said petitioner
Lucy McMurtrey is a white
woman and was lawfully
married unto the said
J. W. McMurtrey on the 12 day
of Aug in 1892 and
have since lived together
as husband and wife
as a result of said union
we have two children with
names and ages as follows.
Nellie Pearl girl 2 yrs old
Minnie Ellen " 3 weeks old

Neither of the above named
children are yet enrolled.
Therefore your petitioners
prayer that the said two children
be enrolled as citizens by
blood also that the name
of their mother, Lucy
McMurry be placed
on said authenticated
Roll that she may be
entitled to all the rights
benefits and privileges
of citizen citizens by
blood. The evidence
referred upon to establish
the claims aforesaid are
two Affidavits by J. Nelson
exhibit "A."

Your petitioners now submit
the above to your judgment
awaiting your decision
Jno W. McMurry

Sworn to and subscribed before me
this the 8th day of Sept. 1896
A Frank Rapp
Notary Public

Central District
Indian Division
United States Court

Personally appeared before me
a notary Public for the above
named Dist. and Div.,
one Joe Nelson who after
being duly sworn by me
depose and says he is
well acquainted with the
petitioner J. W. McMurtry
and his wife Lucy McMurtry
and I know that the former
is a Choctaw Indian by
blood and enjoy all
such rights as said
Choctaw, also that his
wife Lucy McMurtry
aforesaid is a white
intermarried citizen
of the Choctaw Nation and
is so recognized also
that they have one or two
children that are not
yet on the antislavery
rolls.

J. Nelson

6783
1324

J. H. Talley, Secretary

Chocoma Native

FILED SEPT. 9 1896 ☆
A. S. MCKENNON
COM'R

Received

Sworn to and subscribed before
me on the 8th day of Sept 1896

A. Frank Roper
Notary Public

NO.....

CLAIM OF
Lacey M. Murtry
For Choctaw Citizenship

ANSWER.

7. 1896
RECORDS,
SECRETARY-

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

John McNeely

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case there is no proper proof of the marriage of claimant.

There is no evidence that this claim has ever been disputed by the Choctaw Nation.

This claim was received by the Commission Sept. 23, 1894.

The Choctaw Nation
By *Stuart Gordon Wiley*
Its Attorneys.

End

1896 Choc 1325

1896 Choc 1325

So. McAlester, I. T.

Sept. 4th. 1896.

Received this day, papers purporting to be copies in the claim of

A C Messick

for Choctaw Citizenship as

follows; Petition; Affidavits of

Sam Downing

; Marriage License and Marriage

Certificate.

Stuart London *Stuart*

Atty for Choctaw Nation.

Original. No 16.
Application by A. C. Meunier
for citizenship in the
Choctaw Nation of Indians -

Original Copy -

1325

Filed Sept. 8/96

H. M. Jacobson
Clerk

Admitted as a member
of the Choctaw Nation of Indians

G. A. Patz, Clerk, D. C.

Atty for Applicant

To the Honorable Dawes Commission

Comes now your petitioner A.C. Messick and states that he is a whiteman and a resident of the Central Judicial District of the Indian Territory; said judicial district is composed of the Choctaw Nation.

Your petitioner further states that on the 15th day of July 1896 he was legally and duly married to Mrs. Jennie Gouger, a member by blood of the Choctaw Tribe of Indians, as is shown by the ~~license~~ license hereto attached and made a part hereof and referred to as ~~the~~ "Exhibit A". Your petitioner further states that he has complied in all respects with ^{the} requirements, customs, and usages of the tribal government of the Choctaw Nation in procuring said marriage ~~license~~ license, and that his said wife received her payment in the leased district fund, which was paid to the Choctaw Indians by blood, under the name of Jennie Gouger. Wherefore the premises considered your petitioner prays your honorable body to enroll him as a citizen of of the said Choctaw Tribe of Indians.

A. C. Messick

Sworn to and subscribed to before me on 14th day of August 1896.

J. L. Rappole

Notary Public.

MARRIAGE LICENSE.

Choctaw Nation.

Atoka

County.

ss.

To any person authorized by law to solemnize marriages—

Greeting:

You are hereby commanded to solemnize the Rite and publish the Banns of Matrimony between Mr. *Alb Messick*, of *Atoka*, in the *Choctaw N. H.* aged *31* years, a citizen of the *United States*, and *May Jennie* *Young* of *Atoka*, a citizen of the *Choctaw Nation* in the *Choctaw Nation H.* aged *26* years, according to law, and do you officially sign and return this license to the parties therein named.

Witness my hand and official seal, this *13th* day of *July* A. D., 189*6*

Sam Downing
Clerk of the County Court.

By

Deputy.

CERTIFICATE OF MARRIAGE.

Choctaw Nation,

Atoka

County.

ss.

I,

R. W. Officer
Minister of the Gospel

Do hereby certify, that on the *15th* day of *July*, A. D., 189*6*, I did duly, and according to law, as commanded in the foregoing license, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

Witness my hand this *15th* day of *July*, A. D., 189*6*.

R. W. Officer

Minister of the Gospel

Current and recorded in my office at

20th day of July 1896. Book 10 page 32
Sam Downing
Clerk of the County Court

U

I, the undersigned, do hereby personally appear before the undersigned _____
a Notary Public for the State of _____ Sam Downing _____
and depose and say, on oath: that he is acquainted with

A. J. Russell, and Mrs. Jennie Russell, who was before their marriage
Mrs. Russell, and that said affiant knows the said Mrs. _____
and that said Mrs. Russell is a member of the Tribe of Choctaw Indians by
blood, and that she participated in the distribution of the lands
of said tribe, and that she is a member of the Choctaw Tribe of Indians by
blood, and that the said _____, being a member of the said tribe, was
born, and that he is a member of the said Choctaw Tribe of Indians by blood.

That he is licensed to perform and execute services as a Notary
Public, and that A. J. Russell and Mrs. Russell were married _____

at _____, Mississippi, on the _____ day of _____, 19____.
Affiant is a member by blood of the said
Choctaw Tribe of Indians, and is Clerk & Probate
of said tribe of marriage. Clerk of Atoka County.

Sam Downing

Witness my hand and seal of office on this 12th day of _____, 19____.

A. J. Russell.

G. F. Pate

Notary Public.

No. _____

—CLAIM OF—

H. C. Massick

FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Feb 7, 1896
H. M. Jocaway
Reg.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

A.C. Massick

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

A.C. Massick.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 choc 1326

1896 choc 1326

This certifies that Mr. Mattie McClure and
Miss Madell Starks were united in marriage
the undersigned at Bennington I. T.
on the 18th of Dec. 1895

Rev. W. J. B. Lloyd

Recorded this the 16 day of Aug. 1896

D. F. Wade clerk

Before the Commission to the Five Civilized Tribes:-

In the matter of the claim of Mrs Madell McCluer ^{*Belonging to the Cheetaw Nation*} for enrollment on the roll to be prepared by the Commission to the Five Tribes, for the Cheetaw Nation or Tribe of Indians:

The applicant would state for her claim for enrollment that her age is 19 years and that her Post Office is Bennington I. T.

The applicant further states that she is an intermarried citizen of the Cheetaw Nation, having married Mattie McCluer a Cheetaw by blood on the 18th day of Dec 1895 according to the laws of the Cheetaw Nation for females citizens of the United States, marrying male citizen of the Cheetaw Nation, as will be seen by a certified copy of the marriage certificate filed herewith and made apart of this application and marked "Exhibit A"

The applicant would ask the Commission to enroll her on the roll prepared by them for the Cheetaw Nation or Tribe of Indians.

Subscribed and sworn to before me on this the 21 day of Aug 1896

Marshall McCluer

Notary

Notary Public

Affidavit of D. M. Cochraner to be read as evidence, before the Commission to the Five Tribes, in behalf of ^{Citizenship Choctaw Nation} Madell McCluer for enrollment on the roll to be prepared by the Commission for the Choctaw Nation or Tribe of Indians.

The affiant after first being duly sworn deposes and says that his age is 48 years and his Post Office is Bechohite I. T.

The affiant further states that he is well acquainted with the applicant Madell McCluer and knew that she married Nat'ie McCluer and that he is a Choctaw Indian by blood.

The affiant further states that he has no interest in the prosecution of this claim.

D. M. Cochraner

Subscribed and sworn to before me on this the 20th day of Aug. 1896

J. R. Pappan
Notary Public

Affidavit of J. C. Hampton to be read as evidence, before the Comm
mission to the Five Tribes, in behalf of Madell McCluer ^{Citizen of Choctaw Nation} for enrollment
on the roll to be prepared by them for the Choctaw Nation or Tribe of I
Indians .

The affiant states that his age is 35 years and that his
Post Office is Caddo I. T.

The ~~affiant~~ ~~affiant~~ states that he knows ~~the~~ Mattie
McCluer and that he is a Choctaw Indian by blood.

Subscribed and sworn to before me on this the 29th day of Aug 1896

J. C. Hampton
Notar Public

No. 2569
1856

Madell McBluen
r

Choctaw Nation

Filed 9 Sept 1896
H. M. Jacobson
clerk

W. J. Jacobson

Caddo
27

Affidavit of J. C. Hampton to be read as evidence, before the Comm^{ssion} ^{*Citizenship Choctaw Nation*} to the Five Tribes, in behalf of Madell McCluer for enrollment on the roll to be prepared by them for the Choctaw Nation or Tribe of I
Indians .

The affiant states that his age is 35 years and that his
Post Office is Cadde I. T.

The ~~affiant~~ ~~can~~ affiant states that he knows ~~the~~ Mattie
McCluer and that he is a Choctaw Indian by blood.

J. C. Hampton
Subscribed and sworn to before me on this the 29th day of Aug 1896

J. H. Hopper
Notar Public

NO.

CLAIM OF

Mrs. Madell McChase
For Choctaw Citizenship

ANSWER.

FILED OCT. 22 1896

H. M. JACOWAY,

SECRETARY-

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mrs. Madeline McClary

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence fails to show that the husband of claimant is a Choctaw citizen, or entitled to citizenship.

THIS CASE WAS RECEIVED BY DAY. CLERK SEP. 24, 1904.

The Choctaw Nation

By *Stuart, Gordon & Haskins*
Attorneys.

End

1896 Choc 1327

1896 Choc 1327

6748
Applications of
1327
Laura L. McMinam
and

Michael M. McMinam
for Enrollment as
Citizens of the Cherokee
Nation

FILED SEPT. 9 1896. 2

A. S. MCKENNON

COM 'R'

Admitted as an inter-
married citizen and
held a citizen by
blood -

W. H. Kern Atty
for Applicants.

.....

Francis P. McManis

Notary Public, Southern District, I.T.

Sentham District

POOR ORIGINAL -
BEST AVAILABLE COPY

Office of the County Judge, August 31st, 1896 Pontotoc County, Chickasaw Nation.

Know all men by these presents, that I, Reuben Carney, County and Probate Judge of Pontotoc County, Chickasaw Nation, do this day and date above written, grant and issue Marriage License unto Mr Francis P. McMinamen, a citizen of the Choctaw Nation, now living at Washita Post Office, Chickasaw Nation, Indian Territory, to marry Miss Laura Lee Huddleston a United States Citizen, the law in regard to marriages between United States citizens and Chickasaw ~~Indians~~ tribe of Indians being fully complied with.

Given under my hand this the 31st day of August, 1896

Reuben Carney

County and Probate Judge of Pontotoc County, Chickasaw Nation

Attest:

George Gilbert, County Clerk.

This is to certify that I, M.L. Butler a Minister of the Gospel in the M.E. Church South, did on the 2nd day of September 1896 perform the rite of matrimony between Francis P. McMinamen a citizen by blood of the Choctaw Nation and Miss Laura Lee Huddleston, a citizen of the United States, according to the laws of the Chickasaw Nation.

Given under my hand this the 2nd day of September, 1896.

Signed. *M.L. Butler*

A minister of the Gospel in the M.E. Church, South.

Witness:

Mrs Sallie Stary.

My credentials are recorded in Central District, Book A. Page 7.

Indian Territory
Southern District

M.L. Butler being duly sworn says that I am a Minister of the Gospel in the M.E. Church, South, and I have this ~~day~~ the 2nd day of September 1896 performed the rite of matrimony between Francis P. McMinamen and Miss Laura Lee Huddleston, and that the above is a true and correct copy of their license, under the authority of which said marriage rite was performed, and is also a true and correct copy of my return of the same.

M.L. Butler

Subscribed and sworn to before me this the 2nd day of September, 1896

A. B. Richter

Notary Public, Southern District, I.T.

Southern District

POOR ORIGINAL -
BEST AVAILABLE COPY

Affidavit of M. McMinamen.

Indian Territory
Southern District

Before me the undersigned authority on this the 2nd day of September 1896, personally appeared M. McMinamen who after being duly sworn to tell the truth the whole truth and nothing but the truth deposes and says: My name is M. McMinamen, my age is sixty four years, I reside in the Chickasaw Nation near the town of Wynnewood, Indian Territory, I am a Citizen of the Choctaw Nation by marriage, and have resided in the Chickasaw Nation since about the year 1860. I know Francis P. McMinamen, he is my son, he is about twenty eight years of age and resides near Washita, Indian Territory, his mother's maiden name was Harriet Gardner who was a recognized citizen of the Choctaw Nation by blood, the said Francis P. McMinamen was married to Laura Lee Huddleston in the year 1893 in the Territory of Oklahoma, and they have lived together as husband and wife in the Chickasaw Nation near the town of Washita, Indian Territory, and on the 31st day of August, 1896, they procured License from the County Judge of Pontotoc County, Chickasaw Nation, and have been remarried according to the laws of the Chickasaw Nation; that since their first marriage there has been born unto them one child named Michael M. McMinamen whose age is about one year.

Subscribed and sworn to before me this the 2nd day of September,
1896.

[Signature]
Notary Public, Southern District, I.T.

Southern District

POOR ORIGINAL -
BEST AVAILABLE COPY

James W. Gardner.

Indian Territory
Southern District

Before me the undersigned authority, this the 2nd day of September 1896 personally appeared James W. Gardner, who after being duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: My name is James W. Gardner, my age forty seven years, my residence Wynnewood, Indian Territory. I am a Choctaw Indian by blood and a recognized citizen of the Choctaw Nation. I know Francis P. McMinamen, have known him all his life, he is about twentyeight years of age, and is a recognized citizen of the Choctaw Nation by blood, his mother Harriet McMinamen was my sister and was the first wife of M. McMinamen of the said Francis P. McMinamen. I know Layra Lee McMinamen the wife of the said Frank McMinamen, have known her little over two years, I never knew her until after her marriage to Francis P. McMinamen, they are now living together as husband and wife near the town of Washita, Indian Territory.

Subscribed and sworn to before me this the 2nd day of September 1896

Notary Public, Southern District Indian Territory.

Southern District

POOR ORIGINAL -
BEST AVAILABLE COPY

Affidavit of Ben Gardner.

Indian Territory

Southern District

Before me the undersigned authority, on this the 2nd day of September, 1896, personally appeared Ben Gardner, who after being duly sworn to tell the truth the whole truth and nothing but the truth deposes and says: My name is Ben Gardner, my age is twenty years, my residence Wynnewood, Indian Territory, I know Francis P. McMenamin and his wife, Laura Lee McMenamin. I was present at their first marriage which took place in Lexington Oklahoma on the 31st day of December 1893 they have been living together as husband and wife near Washita, Chickasaw Nation, Indian Territory, since their said marriage. His wife's maiden name was Laura Lee Huddleston, she was a United States Citizen and the said Francis P. McMenamin is a recognized citizen of the Choctaw Nation.

Ben Gardner

Subscribed and sworn to before me this the 2nd day of Sept, 1896.

A. J. H. H. H. H. H.

Notary Public, Southern District, I.T.

Southern District

POOR ORIGINAL -
BEST AVAILABLE COPY

Postmaster
Southern District

I, Frank L. Robinson, solemnly swear, on this the 8th
day of September, 1894, at the Post Office of Wynnewood
Indian Territory. I saw Cyrus H. Jean, Attorney for the applicants men-
tioned in the application hereto attached, call a registered letter to
Jefferson Adams, covering said application, at Muskogee, Indian
Territory. I saw said letter and know it to be the correct
copy of the application, to the Indian Commission, for Citizenship of

James R. H. Jones, Sec. H. H. Jones
and Richard W. H. Jones

REGISTRY RECEIPT.

Post Office at

Registered Letter
Parcel

No.

117

Rec'd.

Sept 8

1894

of

addressed to

Cyrus H. Jean
One of the
Gov. Jefferson Adams
Washington D.C.
M. C. Lee

M. C. Lee

and

hereto attached

in

September, 1894.

Wm

Act of Public, Southern District, I.T.

Southern
District

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear, on this the 8th
day of September, 1906, at the Post Office of Wagonwheel
Indian Territory. I saw Corus G. Bean, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Gardner, Governor of the Cherokee Nation, at Muskogee, Indian
Territory. I examined said letter and found it to be a true and correct
copy of the application, to the Indian Commission, for Citizenship of

James M. Squire, Sec. Hoffman
and Richard W. Hoffman

with the affidavit of M. L. Butler M. Mc
amen, James M. Gardner and
Gardner

front of the seal, and of the original receipt hereto attached
given him as receipt for said letter.

Frank L. Robinson

Subscribed and sworn to before me this the 8th day of September, 1906.

A. H. Harkins

Notary Public, Southern District, I.T.

Southern
District

POOR ORIGINAL -
BEST AVAILABLE COPY

U
NO.....

CLAIM OF
Francis McInanem et al
For Chetaw Citizenship.

ANSWER.

Filed Oct 9, 1896.
H W Spearman,
Secy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Percia McInanen et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

in this case service was not had on the Choctaw Nation
until the 11th day of Sept. 1896.

The Choctaw Nation
By *Stuart, Gordon & Hailey*
Its Attorneys.

End

1896 choc 1328

1896 choc 1328

No. 1328

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Calvin Wright Meek

vs.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR THE SECRETARY OF THE INTERIOR

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of
Calvin W. Mest et al vs. Choctaw Nation Nation, as follows:

*Answer
Judgment
Application*

WITNESS my hand and official seal at *San Antonio, Texas*
this the *17* day of *July* 189*7*
J. H. Brown
Secy.

No 1328

Calvin Wright Meek
Etal

✓
Choctaw Nation

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
APPLERA.
G. R. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., *Dec 29* 1897.

To the Honorable James Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that Calvin Wright Must Jacob
has taken an appeal to this court from the decision rendered by you
on the application of Calvin Wright Must Jacob
Must Jacob
vs the Choctaw Nation, for enrollment as a citizen of said nation.

You will at the earliest time practicable, transmit to this
court a transcript of all the entries on your docket relating there-
to, together with the original papers, depositions and testimony
therein and your decision on said application.

Yours very respectfully.

P. B. Stoner
CLERK

End

1896 Choc 1329

1896 Choc 1329

REGISTRY RECEIPT.

Post Office at *Kurean, D.C.*
Registered Letter Parcel No. *68* Rec'd *Sept 14, 189*
of *W. J. Gilbert*
addressed to *P. O. Kurean D.C.*
Har Jeff Gardner
Washington D.C.
J. J. Middleton

No. 1314
1324

Robt. M. Lendon
vs.
Choctaw Nation

Filed 9 Sept. 1896
H. M. Jecoway
Clerk

W. J. Gilbert
Savannah, Ga.

~~Original~~
1329
R. M. Lendon
vs.
Choctaw Nation

Filed Sept 9-1896
"

Repetus

Indian Territory } ss.
Pekans County } Before me the undersigned authority personally
appeared W.D. Gilbert who being duly sworn
under his oath deposes and says that on the 4th day
of September 1896, he mailed and registered at the U.S.
Post office at Duncan, Ok. addressed to the Hon. Jeff
Gardner, Gov. of the Choctaw nation at Tuskegee
Ok. a true copy of the above and foregoing application
for citizenship filed before the Commission at the Five
Civilized Tribes, by Robert M. Lendon, together with
the accompanying affidavits of J. R. Rogers, Winburn
Jones and W. C. Thompson to sustain said applica-
tion and that the above attached Post office receipt
is for the package containing said papers

W. D. Gilbert

Subscribed and sworn to before me this
the 4th day of Sept. A.D. 1896

The J. H. Smoot
Notary Public

See Evidence in Bert M Ludens
case (my brother) also
Humbert Jones

Application for Citizenship.
Before the Commission to
the Five Civilized Tribes.
Robert M. London

vs
Choctaw Nation }

Your petitioner
after being duly sworn states that his
name is Robert M. London, aged 39 yrs. P.O.
address Commanche Dist. That he is entitled
by blood and descent to citizenship in the Cho-
ctaw Nation Indian Territory for the follow-
ing reasons to wit

Applicant is a son of Elsie Jane M.
London formerly Elsie Jane Jones daugh-
ter of Hiram Jones. That Hiram Jones
was a son of Moody Jones Sr. who was
a Choctaw Indian and so recognized
and treated by his neighbors and the pub-
lic generally. That applicant is a sin-
gle man.

And respectfully asks to be enrolled
as a citizen of the Choctaw Tribe of In-
dians in the Indian Territory.

Your petitioner states the above to be the
lawful grounds of his application for
Citizenship in the Choctaw Nation
And prays that his claim may be

investigated by this Hon. body and that
he be adjudged a citizen of said Choctaw
tribe of Indians in the Ind. Ter. and enti-
tled to all the rights, privileges and
immunities pertaining to such citizens-
ship as he in accordance with the
laws and treaties made with said
tribe of Indians.

W. D. Gilbert

Attorney for Applicant

I Robt Mcendon do solemnly
swear that the matters and facts
set forth in the above petition
are true.

Robert Mcendon.

Subscribed and sworn to before
me this 27th day of August
1896.

J. B. Smoot
Notary Public

STATE OF Indian Territory
COUNTY OF Pickens

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Minburn Jones who after being duly sworn states that he is 39 years of age, and is a citizen of Pickens County and State of Ind Ter and that he is personally acquainted with Burl and Bob McLendon Who are applicants for citizenship in the Choctaw Nation, I. T., and affiant further states that the said Burl & Bob McLendon are the identical persons they represent themselves to be in their application for citizenship in said Nation and the said

Burl and Bob McLendon are cousins
in the 2nd degree to me. That their
mother was Elzie Jane, a daughter of
Hiram Jones who was a brother to my
father and a son of Woody Jones Sr.
who was recognized it is said
as an Indian of Choctaw tribe

Affiant further states that he has known the said Burl & Bob McLendon for the past 20 years and knows that they are and have been recognized and treated by their neighbors, acquaintances and the public generally as a person having Choctaw Indian blood, and that the complexion and physical appearance of the said

indicate that the said
is of Indian blood. That from the above facts and circumstances, and from statements made to
by the said affiant states
every reason to believe that the said
Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Applicants to citizenship in the Choctaw Nation, I. T.

Minburn Jones

SUBSCRIBED AND SWORN TO before me, this 27 day of August, A. D., 1896, and I further certify that I am well acquainted with the said Minburn Jones and know him to be a person of credibility and of truth and veracity. W. D. Smith
Notary Public.

My Commission expires on the 11 day of 189

AFFIDAVIT OF

Winbur Jones

Witness in claim of

Robt M. Jones

for Citizenship in *U.S.* Nation.

United States of America

Indian Territory

Southern District

ss.

Before me the undersigned, a Notary Public in and for the County and State of said person ally appeared Jack R. Rogers, personally and well known to me to be worthy of full faith and credit, and after being, by me, duly sworn states, that he is 66 years old; That his post office address is Marlow Ind, Ten.

That he is personally acquainted with Burt and Bob McLendon.

That they are brothers, that they are sons of Acy Jones McLendon who was a daughter of Hiram Jones. I know Hiram Jones in Simpson County Mississippi in my earliest boyhood days. The said Hiram Jones was, in physical appearance and characteristics a quadroon Indian of Choctaw blood, that Hiram Jones who was often boasted of his Indian blood, and he was the son

of Woody Jones, who was recognized as
a half blood indian and was
treated as such by his neighbors.

Affiant further states that
he is acquainted with applicants
and has been acquainted
with their ancestry for the past
60 years, and believes and
knows that the applicants have
Choctaw Indian blood in
them by descent, and that
they are the identical persons
whom they claim to be in
their application.

Affiant further states that
he has no interest in the
prosecution of applicants
claim - nor is he related
to them in any way whatever.

Jas. R. Rogers,

Subscribed and sworn to
before me the undersigned
Notary Public this July 24th 1896

Thos M. Soot,
Notary Public

Thos M Soot,
Notary Public

AFFIDAVIT OF WITNESS.

STATE OF Ind Tn.
COUNTY OF Pickens

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared W C Thompson who after being duly sworn states that he is 57 years of age, and is a citizen of Pickens County and State of Ind Tn and that he is personally acquainted with Burl and Bob M. Lindon Who is an applicant for citizenship in the Choctaw Nation, I.T., and affiant further states that the said Burl & Bob M. Lindon is the identical person they represents them self to be in their application for citizenship in said Nation, and the said the above named parties are descendants of Woody Jones Sr. The sons of Woody Jones Sr. were Jesse Jones Hiram Jones and Woody Jones Jr. Hiram Jones an applicant for citizenship is a son of Jesse Jones - Hiram Jones of married is a son of Woody Jones Jr. Burl & Bob M. Lindon are sons of Amy Jones who was a daughter of Hiram Jones. The mother was a daughter of Ameline Jones who was a daughter of Jesse Jones.

Affiant further states that he has known the said Applicants Burl & Bob for the past 30 years, and knows that they and has been recognized and treated by their neighbors, acquaintances and the public generally as a person having Choctaw Indian blood, and that the complexion and physical appearance of the said Hiram, Woody and Jesse Jones indicated that the said parties last before named is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Hiram Woody Jesse Jones, affiant states he has every reason to believe that the said Burl & Bob is of Choctaw Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said W C Thompson to citizenship in the Nation, I. T.

SUBSCRIBED AND SWORN TO before me, this 10 day of August, A. D., 189 6, and I further certify that I am well acquainted with the said W C Thompson and know him to be a person of credibility and of truth and veracity.

Thos M Soot
NOTARY PUBLIC.

My Commission expires on the day of , 189

POOR ORIGINAL -
BEST AVAILABLE COPY

NO.

—CLAIM OF—

Robert McLendon

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Dec 4, 1901.

J. H. Gordon & Co.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Robert McLain

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation offers its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case is uncertain and based on hearsay, and the testimony of the witnesses makes no positive proof.

The Choctaw Nation
By Stuart, Gordon & Haily
Its Attorneys.

End

1896 Choc 1330

1896 Choc 1330

REGISTRY RECEIPT.

Post Office at *Caulington and Her*

Registered Letter } No. *32-* Rec'd *August 25, 1896*
Parcel }

of *James M. McLeary Ward and Her*

addressed to *Wm Jeff Gardner*
Eggle & Son and Her

H. D. Bush P. M.

Indian Territory
Central Dist

I John W Robinson a Notary
Public within and for the
Central Dist of the Indian
Territory do hereby certify
that on the 25th day of August
1896. I wrote the application
of James M M. Clossy and the
affendants of John Casey John R
Fisher & Elizabeth Casey and
sent true copies of the same
in an envelope and sealed
it up my self and registered
it at the postoffice at Cowington
O.T. and addressed same to
Haw Jeff Gordon Principal Chief
of the Cherokee Nation Eagle Town O.T.
That registry receipt #35 received
from the postmaster hereto attached
is a receipt for said package which
contains true copies of the application
of James M M Clossy and of the affendants of
John Casey John R Fisher & Elizabeth
Casey in support of same.
witness my hand and seal on this
the 5th day of Sept 1896.

John W Robinson
Notary Public
for the Central Dist of
the Indian Territory

Covington 25
Aug 24 1896

To The Hon Dawes Commission
Wash D.C.

Your petitioner James M. Clary
aged 25 years for and in behalf
of myself and heirs who are
residents of the Choctaw Nation
Indian Territory My post office
address is Ward D.C. makes
this application to your honorable
body for the purpose of being
placed on the revised rolls of
the Choctaw Nation and of those
entitled to share in the
distribution of fines and
allotments of lands in the
Choctaw Nation by virtue of
their Choctaw blood and I
hereby submit the names
of my family

My wife Malinda M. Clary aged
about 43 years. My son Wm
B. M. Clary age 25. My daughter
Lemmer Tristone age 23
years & her husband D. M. Tristone
age 33 years & their daughter
Mable M. Tristone age 2 years
My son Geo. M. Clary age 2
21. and his son James M. Clary age

I year my son John McClary
aged 19 years my son
J. D. McClary aged 17 years.
Breasted I am a Choctaw
Indian by blood. My
Mother Jada McClary was
a sister to Elizabeth Casey.
My Grand Mother was Arner
Fisher. who was Choctaw
Indian by blood to the
best of my knowledge
& belief

Witness to Signature James M. McClary
John D. McClary
Thomas Edwards

Subscribed and sworn to before
me this 24th day of August 1896
John W. Robinson
Notary Public

Indian Territory
Central Dist

Personally appeared before me a
Notary Public within & for the
Indian Territory Elizabeth Casey
who after being duly sworn according
to Law depose and says. I am about
57 years of age my post office address
is Burgevine Ind. I was personally
acquainted with James M. McClary and
that his mother, Julia M. McClary is my sister
and a daughter of James William Fisher.
James Fisher was a Choctaw Cherokee Indian
by blood. Anna Fisher was a Choctaw.
Anna Fisher was the daughter of
James & Nancy Hensley. Nancy Hensley
was a sister to James Fernald who was
also a Choctaw Indian by blood.
witness my hand this 21 day of Aug 1896
witness to signature Elizabeth Casey
J. B. Dickerson
J. A. Keith

Subscribed and sworn to
before me this 21 day of August 1896
John W. Robinson
Notary Public

Indian Territory }
Central Desk }

personally appeared before me
a Notary Public within and for the
Indian Territory John Casey who after being
duly sworn according to law deposed and
says I am about 69 years old My post
office address is Burgevin Indian Ter.
I am personally acquainted with
James M. McClary and that his mother
Judith McClary is my wife
Elizabeth Casey's sister.

witness my hands this 24th day
of August 1896

witness to Signatures

John M. McClary

Thomas Edwards

John ^{his} Casey
Notary

Subscribed and sworn to
before me this 24th day
of August 1896

John W. Robinson
Notary Public

1330
No. 1291

Jas. M. McClary
or
Choctaw Nation

Filed 9 Sept 1896
H. M. Brown
Sec

Repealed

work.
J. T.

Indian Secretary

Central Dist

personally appeared before
me a Notary Public within
and for the Indian Territory
John R Fisher who after being
duly sworn according to
law deposed & says that he is
a resident of the Choctaw Nation
his post office address is
Cochran Ind Ter that he is
73 years of age. I was
personally acquainted with
James M McGary and that his
mother Julia McGary was
a daughter of James & Annie
Fisher and a sister to Elizabeth
Ossey who was Choctaw &
Cherokee Indian by blood
witnesses my hand this 24th
day of August 1896

John R Fisher

Subscribed and sworn to before
me this 24th day of August 1896

John W Roberson
Notary Public

No.

—CLAIM OF—

James M. McClay.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

H. W. January
Dwy

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF James M. McClary.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence of the blood of applicants is too remote.
Applicants live in the State of Arkansas, and have never lived
in the Indian Territory, nor affiliated with the Choctaw tribe.

James M. McClary.

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys.

End

1896 choc 1331

1896 choc 1331

No. _____

APPLICATION OF

Madie H. McLeary et. Al.,

Enrollment in ^{FOR} *Choctaw* Nation

Filed on the _____ day of _____ 189_____

Sec. U. S. Com. Five Civil Tribes.

Attorney for Petitioner.

CAPITAL PRINT. South McAlester, I. T.

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

Wade H. McLellan Et. Al., PETITIONER, VS. Choctaw Nation, Indian Territory. RESPONDENT. APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner Wade H. McLellan states that James Foster was a Choctaw Indian by blood, was duly recognized by the proper authorities as such in the old Choctaw Nation in Mississippi and enjoyed all the rights, privileges benefits and annuities of other Choctaw Indians by blood in the said Choctaw Nation or Tribe of Indians, and that the name of the said James Foster appears, or should appear upon the authenticated rolls of the said Choctaw Indians for the year 1871.

That petitioner is a lineal descendant of the said James Foster to-wit: petitioner is the child of Dorothy McLellan born Foster who was a quarter blood Choctaw woman & was the child of said James Foster. That Ephraim Foster who is a brother of said Dorothy McLellan born Foster & Mr. Foster his son are duly recognized citizens of the Choctaw Nation having been their right before the Choctaw Council in 1888 as descendants of said James Foster & are duly enrolled as citizens of said Choctaw Nation.

That under the constitution, laws, usages and customs of the said Choctaw Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Choctaw Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Choctaw Indians by blood. & his wife Kithie McLellan

That there are now living legal descendants of your said petitioner persons, as follows, to-wit: Joseph M. McLellan, a boy, and 16 years of age; John F. McLellan, a boy, and 14 years of age; Walter W. McLellan, a girl, and 12 years of age; Abner S. McLellan, a boy, and 10 years of age; Adeline McLellan, a girl, and 8 years of age; Sally McLellan, a girl, and 3 years of age; Wade McLellan, a boy, and 3 years of age; and years of age; and years of age; and years of age.

Wherefore, the premises considered, your petitioner prays that his name, with those of

his wife & her said descendants to-wit: Joseph John Hattie
Abner Adeline Sally & Wade

and be enrolled and admitted to all the rights, benefits, privileges
and immunities of other Choctaw Indians, in and to the Choctaw Nation
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray

J. M. Foster

ATTORNEYS FOR PETITIONERS.

The aforementioned petitioner, Wade & M. L. Hattie says that the state-
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Wade & M. L. Hattie

Petitioner.

Subscribed and sworn to before me, this 24 day of July 1896.

H. W. Cunningham
Notary Public.

No.	1282
APPLICATION OF	Choctaw Nation
Enrollment in	Choctaw Nation
Filed on the	day of 1896
Not U. S. Com. Ex-Officio	
Attorney for Petitioner.	
CAPITAL PRINT. South McAlester, I. T.	

To the Honorable the Commissioners to
the Five Civilized Tribes

Your petitioner Samuel J. McTellan
a resident of Blue County Choctaw Nation
respectfully asks to be admitted and enrolled
as a citizen of the Choctaw Nation or Tribe
of Indians and shows: that he is the child
of Dorothy McTellan born Foster who was a
quarter breed Choctaw Woman, and that
said Dorothy McTellan born Foster was the child
of James Foster, born in lawful wedlock, who
was a half breed Choctaw who lived and died
near Lexington Mississippi and who during
his lifetime resided with the Choctaws
in the old Choctaw Nation in Mississippi
and was known and recognized as a Choctaw
Indian.

Petitioner further shows that Ephraime
Foster who is a brother of said Dorothy McTellan
born Foster and W. M. Foster who is the son
of said Ephraime Foster are duly recognized
Citizens of the Choctaw Nation having proven
their right before the Choctaw Council in the
year 1888 and are duly enrolled as citizens
of the Choctaw Nation and enjoy all the
rights privileges and immunities of citizens
of the Choctaw Nation and participated
in the distribution of the public moneys
of the Choctaw Nation known as the "Leased
District fund or payment."

Wherefore your petitioner says that he is
entitled to be admitted and enrolled as
prayed. Petitioner further shows that he is
lawfully married to one Sarah McTellan
and has the following children born to him
of said marriage Oona - age 18 - Edmund - age
15 - Mary - age 12 - Samuel age 11 - Ellen
age 9 - George age 4 - Susan age 1

Petitioner further shows that Susan
McTellan widow of Abner S. McTellan is the
mother of Franklin McTellan age 3 - and
Abner S. McTellan age 1 - who are lawfully
children of one Abner McTellan brother
of petitioner and son of Dorothy McTellan
aforesaid and prays that the aforesaid persons
may also be admitted and enrolled as
Citizens.

And your petitioner well ever pray etc

S. J. McTellan
Subscribed and sworn to before me this
13 day of July 1894

M. M. Whinnings
Notary Public

Subscribed

McLellan
et al
vs
Choctaw Nation

[illegible]

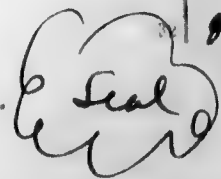
Ephraim Foster being ^{first} duly sworn says
I am a duly recognized and enrolled
citizen of the Choctaw Nation and am
a Choctaw Indian by blood. I proved my
right and that of my family before the
Choctaw Council in the year 1888. The
case was the name of Wm F. Foster my
son. Myself and family have participated
in the distribution of the Leased District
Fund and are in every way fully recognized
as citizens of the Choctaw Nation.

I am well acquainted with Wade
H. McLellan and James A. McLellan and
their families who now are applicants
to be enrolled as citizens of the Choctaw
Nation. I know them to be Choctaw
Indians by blood and entitled to be admitted
and enrolled as citizens of the Choctaw
Nation.

Their mother was Dorothy McLellan
born Foster & my sister. She was a
daughter of James Foster born in Lawful
Westlock. I know the contents of the
petitions of Wade H. McLellan & James
A. McLellan and that every word contained
in said applications or petitions is true.
The said Wade H. McLellan & James
A. McLellan are Choctaw Indians by
blood.

E. Foster.

Subscribed and sworn to before me this 24 day
of July 1896



M. M. Warringtonham
Notary Public

Wm F Foster being first duly sworn
says I am well acquainted with Wade
Mc Lellain and James A Mc Lellain and
their families and I know that they are
Choctaw Indians by blood and intitled to be
admitted and enrolled as Citizens of the
Choctaw Nation. I know the contents of
their petitions and that every word contained
there in is true.

Ephraim Foster is my father and I
stated that the matters and things contained
in the foregoing affidavit.

Made by him are written.

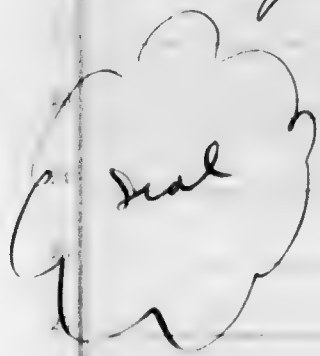
My personal knowledge and are true as
stated.

Our family right was proved upon
the right of James to the father of Dorothy
Mc Lellain.

W F Foster

Subscribed and sworn to before me this
24th day of July 1896

W. W. Whinningsham
Notary Public



Ephraim Foster being first duly sworn upon his oath says I am a Choctaw Indian by blood and duly recognized as such. I proved my right and that of my family before the National Council of the Choctaw Nation in the year 1888. The case was entitled in the name of my son M. F. Foster.

Myself and family have participated in the distribution of the leased District land and are in every way fully recognized as citizens of the Choctaw Nation.

I am well acquainted with Samuel J. McLellan the petitioner in this case and know him to be a Choctaw Indian by blood a resident of the Choctaw Nation for six years last past and that he is fully entitled to be admitted and enrolled as such. His mother was Dorothy McLellan born Foster and my sister.

She was a daughter of James Foster born in lawful wedlock.

I know the contents of the petition of said Samuel J. McLellan and that every word of said petition is true. Know the children of Samuel J. McLellan Orna - Edmund - Mary - Samuel - Oliver - George - Susan and the children of Abner McLellan Franklin and Abner D. McLellan and I knew Abner McLellan in his lifetime. Abner McLellan was a Choctaw by blood and all the children mentioned herein are Choctaws by blood.

born in lawful wedlock and fully entitled
to be admitted and enrolled as citizens of
the Choctaw Nation.

E. Foster.

Subscribed and sworn to before me this
13 day of July 1896

M. M. Whittingham

Notary Public

Coal

William F. Foster being first duly
sworn upon his oath says: I was present
when the foregoing affidavit of Ephraim
Foster was made. I heard the same,
read and know the contents thereof.

The matters and things stated in said
affidavit are true as therein stated.

Ephraim Foster is my father and I am
the Wm F Foster mentioned in said
affidavit in whose name our case
before the Choctaw Council was entitled.

I am a Choctaw Indian by blood
duly recognized as such and live in
Coal County Choctaw Nation. Our right
was proven before the Choctaw Council in
1858 as stated in the foregoing affidavit
and we trace our descent in that case
through the James Foster mentioned
in the petition of Samuel J Mc Lellan
and it was upon this proof that our
case was allowed

W. F. Foster.

Subscribed and sworn to before me
This 13th July 1896
M W Warrington

Seal subscribed.

On this day personally appeared before me, J. D. Ward, County Clerk in and for the County of Skullyville Choctaw Nation, Eliza Ward to me well known to be the person who represents herself to be, and who being duly sworn says;

I knew a family of Fosters in the State of Mississippi. When I was three brothers, Moses Foster, Levi Foster, and John Foster, they lived on Bok-lusa (Black river) near the town of Lexington, and were recognized as Choctaw Indians by the Choctaws at that time, I was very young and do not know exactly how much Indian they were. I have visited at the Fosters with my relatives, and while there seen an old woman known as the grand-mother of the Fosters, who was a full-blood Choctaw; and have known that the Fosters inherited their name from their father side, and their Indian blood from their mother side:

her
Eliza Ward
mark

Sworn to and subscribed before me this the 15th, day of July, 1896;

J. D. Ward

County Clerk, Skullyville
County, C. N;

This is to certify that the above and foregoing is a true and correct copy of the original affidavit, This the 15th, day of July, 1896

J. D. Ward
County Clerk;
Skullyville, Co. C N,

McLellan, James A.,
McLellan, Mary E. A.,
McLellan, John F.,
McLellan, James C.,
McLellan, Robert B. *AO*,
McLellan, Wade H., *M*,
McLellan, Kittie,
McLellan, Joseph M.,
McLellan, John F.
McLellan, Hattie M. *(W?)*
McLellan, Abner D.,
McLellan, Adeline,
McLellan, Dolly,
McLellan, Wade,
McLellan, Samuel J.,
McLellan, Sarah,
McLellan, Oma,
McLellan, Edmund,
McLellan, Mary,
McLellan, Samuel,
McLellan, Ollie,
McLellan, George,
McLellan, Susan,

Stuart, Gordon & Hailey,

*Chas. B. Stuart,
J. H. Gordon,
W. C. Hailey,*

Attorneys at Law

South McAlester, Ind. Terr.

Services accepted in cases:

<i>J. A. McLeary</i>	<i>no. 82.</i>	<i>our no-889.</i>
<i>Jos. G. Leaster admitted -</i>	<i>" 160.</i>	<i>P. U. Foster ²⁷⁷</i>
<i>Mary E. Parnell</i>	<i>.83</i>	<i>att'y 605</i>

2/3/97

S. G. H.

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

James W. McLellan Et. AL.
PETITIONER,
VS.
Choctaw Nation, Indian Territory.
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner *James W. McLellan* states that *James Foster*
was a *Choctaw* Indian by blood, was duly recognized by the proper authorities as such in
The old Choctaw Nation Mississippi and enjoyed all the rights, privileges
benefits and ~~immunities~~ *immunities* of other *Choctaw* Indians by blood in the said *Choctaw*
Nation or Tribe of Indians, and that the name of the said *James Foster* appears,
or should appear upon the authenticated rolls of the said *Choctaw* Indians for the year *1882*.

That petitioner is a lineal descendant of the said *James Foster* to-wit:
Petitioner is child of Dorothy McLellan born Foster who was a quarter blood Choctaw married 1801 to
child of said James Foster
that Ephraim Foster who is a brother of said Dorothy
McLellan born Foster & son & Foster his son are duly
recognized citizens of the Choctaw Nation having
been so by the Choctaw Council in 1882 as
descendants of said James Foster & are duly enrolled
as citizens of said Choctaw Nation

That under the constitu-
tion, laws, usages and customs of the said *Choctaw* Nation or Tribe of Indians, and the laws of
the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a cit-
izen and member of said *Choctaw* Tribe of Indians in Indian Territory and entitled to all the

rights, benefits, privileges and ~~immunities~~ *immunities* of other *Choctaw* Indians by blood. *Mary E. A.*

McLellan wife of petitioner
That there are now living legal descendants of your said petitioner *3* persons, as follows, to-wit:

John F. McLellan a *boy* and *17* years of age

James C. McLellan a *boy* and *14* years of age

Robert L. McLellan a *boy* and *1* years of age

Petitioner further states that this claim years of age

of James A. McLellan made F. M. McLellan years of age

Spencer A. McLellan was filed with years of age

the Choctaw Council & held by them years of age

several years without any action years of age

& Council has constantly refused to years of age

act on the same and years of age

Wherefore, the premises considered, your petitioner prays that *his* name, with those of

his said descendants to-wit: *John James*
Robert McLean
and *Mary Ed McLean his wife* be enrolled and admitted to all the rights, benefits, privileges
and immunities of other *Choctaw* Indians, in and to the *Choctaw* Nation
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

W. F. Folsom
ATTORNEYS FOR PETITIONERS.

The aforementioned petitioner, *James W McLean* says that the state-
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.
James W McLean
Petitioner.

Subscribed and sworn to before me, this *24* day of *July* 1896.
H. N. Winingsham
Notary Public.

No.	
APPLICATION OF	
FOR	
Enrollment in	Nation
Filed on the	day of
	189
See, U. S. Com. File in Tribes	
Attorney for Petitioner.	
CAPITAL PRINT. South McAlester, I. T.	

No. 1231

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Jas A. McCallan Et Al

VS.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED AND FILED IN THE OFFICE OF THE SECRETARY OF THE INTERIOR

vs. Nation, as follows:

Applied to

ANSWER

00000000

WITNESS my hand and official seal at

this the

day of

189

No 1331
Jas. A. McEllen Esq
Choctaw Nation

CHIEF

Yours very respectfully,

Wherein you have decided on said application.
To be referred with the original papers, depositions and testimony
and a transcript of all the evidence on your books relating thereto
you will at the earliest time possible, forward to this
as the Choctaw Nation, for employment as a citizen of said nation.

on the application of _____
has taken an appeal to this court from the decision rendered by you
you are hereby notified that _____

SIL:

Very truly, Yrs.

To the Honorable James Commission.

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
G. R. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., Jan. 28th 1897.

To The Honorable Dawes Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that Jas. A. McLellan et al.
has taken an appeal to this court from the decision rendered by you
on the application of Jas. A. McLellan, Mary E.
McLellan, John J. McLellan, Jas. A. McLellan et al.
vs The Choctaw Nation, for enrollment as a citizen of said Nation.

You will at the earliest time practicable, transmit to this
court a transcript of all the entries on your docket relating there-
to, together with the original papers, depositions and testimony
therein and your decision on said application.

Yours very respectfully.

P. B. Stoner
Clerk

#889

Jas. A. McSallan

Christen Nation

Court no
82

It is not called for in five days return to
STUART, GORDON & HAILEY,
Attorneys-at-Law,
South McAlester, : : Indian Territory.

End

1896 Choc 1332

1896 Choc 1332

153

1332

Geo. Marler

et al

vs

Choctaw Nation

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

Jno. Marler et al

No. 153 vs.

Choctaw

NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of *Jno. Marler et al* to be enrolled as members of the ~~Chickasaw~~ *Choctaw* Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 15 day of Feb, 1897.

J. W. Phillips

CLERK.

153

No. 1332 D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

John Marler EML

VS.

Choctaw Nation.

Received and filed this day of

189

Secretary.

RECEIVED FOR THE SECRETARY OF THE INTERIOR

FILED

SEP 10 189

U.S. DEPT. OF THE INTERIOR

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of

Geo. Morley et al. vs. *Choctaw* Nation, as follows:

Application & Evidence
Ans. " "
Certified Copy entries
& Judgment

WITNESS my hand and official seal at *Arden*
this the *25* day of *Feb* 189*7*
Joseph Phillips
Clerk

End

1896 choc 1333

1896 choc 1333

No 863

1323,

Melford M. Mullen et al
vs

1 Chectaw Nation

Filed Sept. 4-1896

A. S. McKinnon

Clerk

Repealed

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

Milford M. Mills Et. Al.,
PETITIONER,

VS.

Choctaw Nation, Indian Territory.
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner Milford M. Mills states that ~~Thomas Ward~~ father of his wife Elizabeth was a Choctaw Indian by blood, was duly recognized by the proper authorities as such in the Choctaw Nation and enjoyed all the rights, privileges benefits and annuities of other Choctaw Indians by blood in the said Choctaw Nation or Tribe of Indians, and that the name of the said Thomas Ward appears, or should appear upon the authenticated rolls of the said Choctaw Indians for the year

That petitioner is a lineal descendant of the said Thomas Ward to-wit: Henry Maraisa Elizabeth ~~Ward~~ daughter of Thomas Ward, who was a Choctaw Indian, by blood. Henry Ward was a brother to John Ward who was the oldest son (in the year of 1887) of the Maraisa & Elender Ward daughter of Thomas Ward, son of Henry Ward, Bro of John Ward. Thomas Ward an Choctaw Indian, the same Elender Ward - Maraisa William Mology, my (Elizabeth Mills) father

That under the constitution, laws, usages and customs of the said Choctaw Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Choctaw Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Choctaw Indians by blood.

That there are now living legal descendants of your said petitioner Mills persons, as follows, to-wit:

Elizabeth Mills	my wife	and	49	years of age
Ellen Mills	Married to Maraisa	and		years of age
Thomas R. Mills	a son	and	20	years of age
Rogerina Mary Mills	a son	and	14	years of age
Martin C. Mills	a son	and	10	years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age

Wherefore, the premises considered, your petitioner prays that Milford M. Mills name, with those of

his said descendants to-wit: his wife and children
as given in the certificate for

and Henry (Milford M. Mills) be enrolled and admitted to all the rights, benefits, privileges
and immunities of other Choctaw Indians, in and to the Choctaw Nation
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

ATTORNEY FOR PETITIONERS.

The aforementioned petitioner, Milford M. Mills & Elizabeth Mills says that the state-
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Milford M. Mills
Elizabeth Mills

Petitioner.

Subscribed and sworn to before me, this 19th day of August 1896.

Wm. H. Holbrook

Notary Public.

No.	
APPLICATION OF	
Milford M. Mills Et. Al.	
—FOR—	
Enrollment in	Choctaw Nation
Filed on the	day of 1896
Sec. U. S. Court, Fifth District	
Attorney for Petitioner.	
CAPITAL PRINT. South McAlester, I. T.	

મોંઘા

174. *Arctostaphylos*

Witness my hand & seal of
office at Des Moines Minn this
the 14th day of August 1896

H. L. Lounsbury
Notary Public

Chariton Notion 1.5. } This day I found personally before me
Potter County } the undersigned sitting a Notary
Public 27th June 1885

And in testimony
I am informed of William Miller, and who lies by me duly sworn (62)
according to law as in his oath that he is about 60 years of age
he was a slave raised in Mississippi, not far from dancing
Rabbit Creek, was caught in the Chariton Notion about 1880 by my master

Brady Miller, I took my name "Thomas" from my former
master. That he personally came in, Mississippi on Indian (Chariton) by the
name of John Ford, and his name was dead. The said John Ford
had a son Thomas, & daughter Betty (Elizabeth) who married William Hopper in
Miss - Thomas had had a daughter "Eliza". He married William
McChaffy in Miss. By all means one Chariton Notion with him and,
the said "Eliza" by her marriage with William McChaffy had a daughter
Elizabeth who married William McChaffy in Miss. who now resides in the
Chariton Notion about the year 1880 & 1885

Subscribed and sworn to before me
this 27th day of June 1885
Notary Public

Personally appeared before me Edward James
 a Colored man a citizen of the Choctaw
 Nation by a deposition being orally sworn
 and say that he knew Nicholas Ward
 his mother's name was Jimma. Nicholas Ward
 was a white man with an Indian woman -
 Nicholas Ward married and I don't recollect
 who he married. Henry Ward he was the
 eldest son who moved to this nation in 1833.
 Nicholas Ward was here. I don't recollect
 whether he left any children any more I know
 that Nicholas Ward is a citizen of the Choctaw Nation by
 blood of a Choctaw Nation
 Ben James his
 son

Subscribed and sworn to before me this
 11th day of Oct. 1889
 Henry Dyer, Jr. Deft. Clerk
 Blue Co. C.N.

POOR ORIGINAL -
 BEST AVAILABLE COPY

Affidavit of
Ben. Jones

Collectibles: Time, Cigarets, Tobacco, Etc.

Duck Hill, Miss. 1890

My dear Mother
I have just received your letter of the 11th inst. and am glad to hear from you. I am well and hope this finds you the same. I have not much news to write at present. I am still at home and am getting on my feet. I have not yet decided what to do for the future. I am thinking of going to college but I am not sure. I will write again soon. Love to all.
Your affectionate son,
John W. Smith

POOR ORIGINAL -
BEST AVAILABLE COPY

REGISTRY RECEIPT.

Post Office at

Hartford Conn

Registered letter

No.

90

Dec 11 1896

of

William Miller

addressed to

John A. Miller

Box 100 Hartford Conn

J. A. Miller

Sum to Subscribed for me
This Sept 1/96
McThurken
Notary Public

To The Hon. H. R. Folger, Chairman & Ex-officio
of the Texas Commission

I enclose herewith for inspection, an
application for citizenship in the State of Texas, together with the
affidavits of good faith supporting the same. Also a certain
letter written by me J. T. Gordon of Santa Fe, N. M. March 9 1890
which shows positively that my wife Elizabeth, her relatives in N. M. who
are positive that she is of Mexican Indian origin, & her father's name
is not — as far as is known to the applicant of Ben Jones of Oct. 11 1889 —
but attached — also to the Honorable affidavit of Aug. 18 1896 which is
positive and to the point — J. T. Gordon, knows my wife
Kinslip minutely, giving in detail the names of the "Woods"
claim to Thomas Woods, the father of Elender Woods who married
William McWhorter, who married the said Elender Woods, the
William McWhorter & Elender Woods, his wife, being the father & mother of
my wife Elizabeth — being, the evidence presented is both full
& positive enough — I respectfully submit the entire matter
for your investigation

Very Truly
Edward M. Mills
Elizabeth Mills

Choctaw 1896 case
1333

Muskogee, Indian Territory, July 16, 1904.

B. W. Mills,

Idgo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of July 5, in which you state that you made application to the Commission in 1896, and have not heard what disposition was made of your claim. You therefore ask your status before the Commission.

In reply to your letter you are advised that it appears from our records that application was made to this Commission in 1896 under the provisions of the act of Congress approved June 10, 1896, for citizenship in the Choctaw Nation in behalf of the following persons: Milford M. Mills, his wife, Elizabeth Mills, and their children, Etta Mills, Thomas R. Mills, Benjamin Wesley Mills and Martin C. Mills.

It further appears that this application was denied by the Commission, and no appeal was taken therefrom to the United States Court for the Indian Territory, within the time prescribed by the act of Congress of June 10, 1896 above referred to.

You are informed that it does not appear that application has since that time been made to the Commission for the enrollment of the persons referred to herein, and the Commission is therefore without jurisdiction in this case.

Respectfully,

Chairman.

NO.

CLAIM OF

Milford M. Mills

FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Oct 9, 1896.
H. M. J. Conway,
Secy.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Milford M. Mills

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case fails to show that claimant was married according to Choctaw Law, and no copy of license has been filed.

The Choctaw Nation
By *Stuart Gordon Stanley*
Its Attorneys.

End

1896 choc 1334

see T49
m 36

1896 choc 1334

73

No 1834 D

Mrs. F. Hunter ^{clab}

vs

Choctaw Nation

In the United States Court,
IN THE INDIAN TERRITORY,
Southern District, at Ardmore.

Amster
Mr. J. Holder
No. 1334 vs.
Choctaw
~~CHICKASAW~~ NATION.

NOTICE OF APPEAL.

To the HON. HENRY L. DAWES, Chairman of the Commission
of the United States to the Five Civilized Tribes of Indians—

SIR: You are hereby notified that an appeal has been granted in
the matter of the application of *Mr. J. Amster and all others*
appealing for citizenship in the above stated cause
to be enrolled as members of the ~~Choctaw~~ *Choctaw* Tribe of Indians, from
your Commission to the United States Court, for the Southern
District in the Indian Territory, at Ardmore. You are therefore
notified and ordered to immediately forward to the Clerk of this
Court all of the original papers filed, used and considered in said
cause by your Commission, together with a duly certified copy of all
orders, judgments and entries made and entered by you in the trial
and consideration of said cause.

Witness the HON. C. B. KILGORE, Judge of said Court, and
the Seal thereof, at Ardmore, Indian Territory, this *8* day
of *Jan* ~~December~~, 189*7*.

Jos. W. Phillips Clerk.

End

1896 Choc 1335

1896 Choc 1335

#3/33

Litha A. Harper
Victoria Moore
Wm. G. Moore.

VS

Chocktan Nation

Petitions for citizenship

Chocktan

Rejected

FILED SEPT. 8 1896. ☆

☆ A. S. McKENNON ☆

COM 'R -

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Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

Letha N. Harper.

Et. Al.,
PETITIONER,

vs.

Ch. 10. 10. 10.

Nation, Indian Territory.

RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner

John W. Harper

states that

Willikina same

was a

Indian by blood, was duly recognized by the proper authorities as such in

Don't let me know how much is

and enjoyed all the rights, privileges

benefits and annuities of other

Oct 10

Indians by blood in the said

Nation or Tribe of Indians, and that the name of the said.

2. *Ellekhia* (2) 100

That petitioner is a lineal descendant of the said

() ...

() ...

Indians for the year

to-wit.

Nittokahorn

1. The main objective of the project is to develop a system that can automatically detect and classify different types of emotions (e.g., happiness, sadness, anger, surprise, fear, disgust) from facial expressions. This system will be used to analyze user feedback and improve the user experience of the product.

That under the constitution, laws, usages and customs of the said Crookston Nation or Tribe of Indians, and the laws of

the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said *Cherokee* Tribe of Indians in Indian Territory and entitled to all the

rights, benefits, privileges and annuities of other *Cherokees* Indians by blood.

That there are now living legal descendants of your said petitioner

persons, as follows, to-wit:

(1990) 11. 11. 1990

... a ... , and ... years of age

_____, a _____, and _____, _____ years of age

_____, a _____, and _____ years of age

_____, a _____, and _____ years of age

... , a ... , and ... years of age

... , a ... , and ... years of age

_____, a _____, _____, and _____ years of age

... a. ... , and ... years of age

_____, a _____, and _____ years of age

... a ... , and ... years of age

Wherefore, the premises considered, your petitioner prays that:

name, with those of

Lee said descendants to-wit: Edgar Datt Barker

and Lilla D. Barker be enrolled and admitted to all the rights, benefits, privileges
and immunities of other Cherokee Indians, in and to the Cherokee Nation
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

Wallis & Wemyss
ATTORNEYS FOR PETITIONERS.

The aforementioned petitioner, Lilla D. Barker says that the state-
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Lilla Ann Barker
Petitioner.

Subscribed and sworn to before me, this 24 day of Aug 1896.
Lee Notary Public.

No.	
APPLICATION OF	
<u>Lilla D. Barker</u>	Et. Al.
Enrollment in	Nation
Filed on the	day of 189
Sec. U. S. Com. Five Civil Tribes	
Attorney for Petitioner.	
CAPITAL PRINT. South McAlester, I. T.	

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

William C. Moore Et. Al.,
PETITIONER,

Q. reticulata

Nation, Indian Territory.

APPLICATION FOR ADMITTANCE AND ENROLLMENT

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner *William George Moore* states that *William George Moore*
was a *Cherokee* Indian by blood, was duly recognized by the proper authorities as such in
December 1890 and enjoyed all the rights, privileges
benefits and annuities of other *Cherokee* Indians by blood in the said *Cherokee*
Nation or Tribe of Indians, and that the name of the said *William George Moore* appears,
or should appear upon the authenticated rolls of the said *Cherokee* Indians for the year *1890*

[illegible]

That under the constitution, laws, usages and customs of the said Choctaw Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Choctaw Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Choctaw Indians by blood.

[illegible]

Wherefore, the premises considered, your petitioner prays that... *Use* name, with those of

his said descendants to-wit: William Edward Eugene Smith
John Michael 1866 Son of D. John 1866

and John Eugene Eugene be enrolled and admitted to all the rights, benefits, privileges
and immunities of other Indians, in and to the Nation
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

Walter H. Lawrence
ATTORNEYS FOR PETITIONERS.

The aforementioned petitioner, William Eugene says that the state-
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

William E. Moore
Petitioner.

Subscribed and sworn to before me, this 25 day of Aug 1896.
L. L. Smith
Notary Public.

No	1
APPLICATION OF	
William Eugene Moore Et. Al.	
Enrollment in	FOR- Cherokee Nation
Filed on the	day of 1896
Sec. U. S. Com. Executive Titles	
Attorney for Petitioner.	
CAPITAL PRINT. South Reclaster, I. T.	

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

Victoria Moore

Et. AL.
PETITIONER,

Chocktau

VS.

Nation, Indian Territory.

RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner

Victoria Moore

states that

Wittkacha or Moore

was a Chocktau

Indian by blood, was duly recognized by the proper authorities as such in

should Chocktau Nation, in Mississippi and enjoyed all the rights, privileges

benefits and annuities of other

Chocktau

Indians by blood in the said

Chocktau

Nation or Tribe of Indians, and that the name of the said

Wittkacha or Moore,

appears,

or should appear upon the authenticated rolls of the said

Chocktau

Indians for the year

18

That petitioner is a lineal descendant of the said

Wittkacha or Moore

to-wit.

That John Moore was a son of Wm. McCaskey Moore, and that your petitioner was lawfully and legally married to the said John Moore on the 3 day of September 1874 a duly certified copy of Marriage Certificate being attached hereto marked Exhibit A, the original being lost or destroyed and not at the command of petitioner. Your petitioner further states that the said John W. Moore is a full brother of Bethie A. Lewis, whose citizenship was established by act of Council of Nov. 6 - 1885, and that the said John W. Moore was a son of the said Wittkacha or Moore.

That under the constitu-

tion, laws, usages and customs of the said

Chocktau

Nation or Tribe of Indians, and the laws of

the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a cit-

izen and member of said

Chocktau

Tribe of Indians in Indian Territory and entitled to all the

rights, benefits, privileges and annuities of other

Chocktau

Indians by blood.

That there are now living legal descendants of your said petitioner

and said John W. Moore

4 persons, as follows, to-wit:

Daisy Ellen Moore	a girl	and	20	years of age
Leola Lebra Moore	a boy	and	18	years of age
Anna Gertrude Moore	a girl	and	16	years of age
Maggie Ethel Moore	a girl	and	14	years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age
	a	and		years of age

Wherefore, the premises considered, your petitioner prays that

her

name, with those of

her and Mrs. H. Moore said descendants to-wit: Daisy Allen Moore
Carl Lebbe Moore Anna Gertrude Moore
and Maggie Ethel Moore.

and Chocktan be enrolled and admitted to all the rights, benefits, privileges
and immunities of other Chocktan Indians, in and to the Chocktan Nation
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

Charles H. Cunningham
ATTORNEYS FOR PETITIONERS.

The aforementioned petitioner, Victoria Moore says that the state-
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.
Victoria Moore
Petitioner.

Subscribed and sworn to before me, this 9 day August 1896.

A. Ball,
My Commission Expires
Nov. 26, 1896
Notary Public.

Seal

No	
APPLICATION OF	
FOR	Et. Al.
Enrollment in	Nation
Filed on the	day of 189
Sec. U. S. Com. Prov. W. Tribes	
Attorney for Petitioner.	
CAPITAL PRINT. South Western. I. T.	

Chocktaw Nation.
Indian Territory.

Izora Hill after being duly sworn says: I am 28 years of age, and a citizen of the Chocktaw Nation by blood, and was born and raised in the Chocktaw Nation, Indian Territory. I have been acquainted with Wm. E. Moore for the last 18 years. I was also acquainted with Catharine Moore, his wife and lived near them a good deal of the time. Their oldest child is named Wm. Leonard Moore, and is about 17 years of age, and is a boy; the next is a girl and named Lizzie Bell Moore, and is about 15 years of age; the next is a boy named John Marshall Moore and is about 13 years of age; the next is a boy, Abbe Lewis Moore, and is about 8 years of age. I understand that they have another child but I have never seen it. From what I have seen and learned and have always understood, I am satisfied that they are all legitimate children.

Izora Hill.

Subscribed and sworn to before me this 27th day of August, 1896.

L.L. Smith, Notary Public.

Indian Territory.
Chocktaw Nation.

Personally appeared before me the undersigned notary public, in and for the Central District, Chocktaw Nation, Indian Territory, Mrs. Bettie A. Lewis, who being duly sworn says. I know Letha A. Harper, and that she was married to W.W. Harper on Dec 30, 1880 at the residence of Letha A. Harper's father, Wm. M. Moore, in Sugar Loaf County, Chocktaw Nation, Indian Territory, by the Rev. Jno. yielding.

Bettie A. Lewis.

subscribed and sworn to before me this 29th day of August, 1896.

Wm. E. Green,
Notary Public.

Seal

United States of America,
Indian Territory,
Central District.

Joseph Tucker being duly sworn states; I am 71 years old, and reside near Cameron, I.T. I knew Wm. McCagee Moore in his life time, and know that made application to the Choctaw National Council for admittance to citizenship in and to the Choctaw Nation. About ten or twelve years ago I was at the council attempting to prove my own citizenship, and I saw Mr. Wm. McCagee Moore, Mr. Wm. Lewis, who married his daughter Bettie, W.W. Harper, and John Moore ~~there and~~ who married Letha Ann Moore, another daughter, and his son John Moore were also there to establish there citizenship, and they made application to the council to be admitted. I learned from them and others that they were refused their citizenship, and that they were going to take an appeal. I learned from Wm. Moore that he had been there on that business before, but that they would not.

Subscribed and sworn to before me this 4th day of

Sept, 1896

Joseph T. Tucker
M. H. Williamson
Notary Public

Chocktaw Nation,
Indian Territory.

Sillen Beard states after being sworn, that I am 40 years old and a citizen of the Chocktaw Nation by blood and a resident of Potea, I.T. I am personally and intimately acquainted with William E. Moore and his wife, Cathrine Moore. I got acquainted with Wm. McCagee Moore, his father, and also John N. Moore Letha Ann Moore who afterwards married W.W. Harper. Since I have been acquainted with Wm. McCagee Moore and his family, I have always heard them claim they were Chocktaw Indians. William E. Moore is a son of Wm. McCagee Moore now deceased- have been with him since about 1877, and have been more intimate since 1878. He married about 1879. They had a child borned they named William Leonar Moore. Next child was a girl and was born in 1881, and named Lizzie Bell. The next was a boy and named John Marshall Moore and was born in 1883. The next was born about 1888 and was named Abbe Lewis Moore. The next is about 18 months old and is named Jackson. I was nit at the births of any of the children, but I have always lived close, and saw their mother often; and from my knowledge of everything I am perfectly satisfied as to the legitimacy of the personage of their ancestry.

Sillen Beard.

Subscribed and sworn to before me this 28 day of August, 1896.



L.L. Smith,
Notary Public.

My Commission expires Jan. 31, 1899.

Chocktaw Nation,
Ind. Ter.

ss

Personally appeared before me a notary public in and for the Central District, Cameron Division, I.T. Walter Beard to me well known being duly sworn deposes and says that he is a Chocktaw Nation by inter-marriage; that he is acquainted with William E. Moore, and he, (Wm. Moore), always claimed to be that he was a Chocktaw Indian by blood, and that was reputed to have Indian blood in him, and that he heard one Thompson Sexton an Indian by blood and a citizen of the Chocktaw Nation say that William E. Moore, the father of the said William E. Moore, to the best of his knowledge was an Indian, as his general make up and physical features pointed in that direction; and that on or about the 5th day of March, 1878, the said William E. Moore was married to Catherine Moore, nee Ross, and that they have always since that time cohabited together as man and wife. That they were married by Rev. Joseph Barnes, now dead.

Walter Beard.

Subscribed and sworn to before me this 29th day of August, 1896.



Wm. E. Green,
Notary Public.

Chocktaw Nation,
Ind. Ter.

I, Thomas J. Wall on being my oath state that I am a citizen of the Chocktaw Nation, being a Chocktaw Indian by blood. I have been acquainted with John Moore, now deceased, and W.E. Moore for the last 18 or 20 years. I also knew William McGagee Moore, their father. His appearance was that of a Chocktaw Indian, and his boys looked like they were Chocktaw Indians. I also knew the children of John N. Moore, and knew his wife Victoria Moore (nee Pratt). They have three girls and one boy. The oldest is Daisy Dean Moore, age about 19; Carl Moore, age about 17; Gertrude Moore, age about 15 years; Ethel Moore, age about 13 years. I have lived close to them and have known them all their life. My age is 48 years.

Thos. J. Wall.

Subscribed and sworn to before me this 29th day of August, 1896.

Wm. E. Green, Notary Public

Chocktaw Nation,
Indian Ty.

Izora Hill being sworn says, I am 28 years of age, and am a citizen of the Chocktaw Nation by blood, and born and raised in the Chocktaw Nation, Indian Ty. I have been acquainted with Wm. E. Moore for the last 18 years. I was also acquainted with Catherine Moore, his wife, and lived near them a good deal of the time. Their oldest child is named William Leonard Moore and is about 17 years of age and is a boy. The next is a girl and named Lizzie Bell and about 15 years of age. The next is a boy and is named John Marshall Moore and is about 13 years of age; and the next is a boy named Abe Lewis Moore and is about 8 years. I understand that they have another child but have never seen it. From what I have seen and learned and always understood, I am satisfied that they are all legitimate children.

Izola Hill.

Subscribed and sworn to before me this 27 day of August, 1896.

L.L. Smith, Notary Public.

Marriage Certificate.

I, F.L.Kregel, an ordained minister of the Gospel Baptist Church in the state of Arkansas do hereby certify that on the 3rd day of September, 1874 in the state of Arkansas in the state of Arkansas, I did duly join in marriage John N. Moore of Sebastian County, state of Arkansas, aged 21 years, and Victoria Pratt of the County Sebastian County state of Arkansas aged 21 years and then and there declared them to be man and wife.

Given under my hand this 24th day of November, 1874.

F.L.Kregel.

The foregoing certificate was filed for record in my office and duly recorded this 25th day of November, 1874.

J.H.McClure, Clerk and Ex-officio Recorder.

A true copy of the record.

Attest: C.H.How, County Clerk.



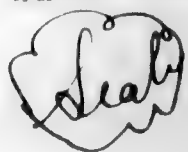
Exhibit A

State of Arkansas,
County of Sebastian.

F.L.Kregel being duly sworn says. I am 70 years of age and live at Ft. Smith, Ark. I am a regularly ordained minister of the Baptist Church, with my credentials recorded in Sebastian County, Ark. I was present and performed the marriage ceremony of John N. Moore to Victoria Pratt, on the 3rd day of Sept. 1874. at Ft. Smith Ark; and gave them a duly certified certificate marriage certificate. A number of witnesses were present. I have been acquainted with and often been at the home of John N. Moore and Victoria Moore his wife, since their marriage. John N. Moore died about the year 1887, I have understood, at Gully Chaha, I.T. He and Victory Moore have as result of their marriage four children, Daisie D. Moore, about 18 or 19 years old, Carl W. Moore, about 17 or 18 years of age, Anna G. Moore 15 or 16 years of age and Maggie Ethel Moore 12 or 13 years of age. They have always lived at home and recognized as the children of John N. Moore and Victoria Moore. They have the family favor, and I am satisfied that they are the legitimate children of the said John N. Moore, and Victoria Moore. I have been a frequent visitor at their home. I am no relation, and have no personal interest in their financial or other matters.

F.L.Kregel

Subscribed and sworn to before me this 31 day of August, 1896.



C.H. Howe, Clerk

By Clarence Hoffman, D.C.

Indian Territory,
Chocktaw Nation,

Personally appeared me a notary public, in and for the Central District, Chocktaw Nation, Indian Territory, Mrs. M.A. Smith, who being sworn says she is a citizen of the Chocktaw Nation by blood, and that she is acquainted with Letha A. Harper, wife of W.W. Harper, and daughter of Wm. M. Moore. I know Edgar Bat Harper. Have known him for four years, and to best of my knowledge, ~~and~~ belief ~~he is~~ the said Edgar Bat Harper is the son of of Letha A. Harper.

Mrs. M.A. Smith.

Subscribed and sworn to before me this 29th day of August, 1896.

Wm. B. Green,
Notary Public

Indian Territory.
Chocktaw Nation.

Personally appeared before me the undersigned notary public in and for the Central District, Indian Territory Mrs. Bettie A. Lewis who being duly sworn says: That I know Letha A. Harper, and that she was married to W.W. Harper on the 10th Dec. 1880 at the residence of Letha A. Harper's father, Wm. M. Moore, in Sugar Leaf County, Chocktaw Nation, Indian Territory, by the Rev. Jno. Yielding.

Bettie A. Lewis.

Subscribed and sworn to before me this 29th day of August, 1896.

Wm. B. Green,
Notary Public.



Chocktaw Nation,

Chocktaw Nation,
Wade County,
Indian Territory.

Before the undersigned notary public, appeared Gilbert W. Thompson, and after being sworn says; I am 47 years old, and a resident of the Chocktaw Nation, and post office address is Tuskahoma, I.T., and that I am a Chocktaw Indian by blood, born and raised in the Chocktaw Nation. I am now holding my first term of office of County Judge of Wade County. I was judge of Scullyville County four years while I lived there. I was elected senator of Wade and Cedar Counties, the last election, the 5th day of August 1896. Affiant further states that about the year 1878 or- 4, he attended the masonic lodge at Greenwood, Ark. and while there, he met and became acquainted with Wm. McCagee Moore, who was then living at or near Greenwood, Ark. I heard that he had recently come from Miss., and had started to go to the Chocktaw Nation with his family. He told me that he was an Indian; I noticed him particularly. His ways, appearance and looks made me believe that was an Indian. About the year 1875 or 6, I was going over in the state, and I again saw him in Sugar Loaf County, I.T. where he lived for several years. and I got acquainted with his family, frequently stopping there in passing. I got acquainted with Mr. Wm. McCagee Moore, his daughter Letha Ann Moore, who in after years married W.W. Harper. She had long, straight black hair. Her face, physical appearance favored the Chocktaw Indian race. The family has and was regarded Chocktaw Indians; her father owning places, paying permits for renters as other citizens. In 1881 our chief Jack E. McCurtain put out of the nation the whites who were claiming to be citizens and a great many people who did not claim to be citizens. I was one of his staff officers. The chief had a talk with Wm. McCagee Moore in my presence and told him to stay and pay permits for his renters, and to come down to council and he would help to

1
establish his citizenship. His health soon become bad, and he lingered along and died about 1885.

I was present at the council of 1895 when Bettie A. Lewis, sister of Mrs. Letha Harper had her citizenship voted on, in the house and in the senate; and from what the members knew, and the evidence, there was not a vote cast against her citizenship. It was unanimously agreed upon.

Affiant further states from the above facts and a number of other circumstances, I firmly believe that WM. McCagee Moore's family are Indians by blood and descent, and justly entitled to citizenship in the Choctaw Nation. I am not related nor of any kin and have no interest whatever in the claim of Letha Ann Harper, nor none of the family, and I make this affidavit freely because I honestly believe in the justness of her right and that it is due her

Robert W. Thompson

Subscribed and sworn to before me this 26 day of August, 1896.

A. W. Fuller

Notary Public.



My commission expires February 13th, 1900.

The Choctaw Nation,
County of Scullyville.

Personally appeared before me R.J. Ward, clerk of the county Court of Scullyville County, C.N. one Robert Hancock to me well and personally known to be a Choctaw Indian and a resident of Sans Bois County, C.N., who being duly sworn says, that William McCagie Moore now a resident of Sugar Loaf County, C.N. is of Indian descent of the Choctaw Tribe of Indians, he being the son of Nitocache Moore, of the old Nation, who by me being well known to be a Choctaw Indian, he being a brother ~~to~~ James Moore Charley Moore, Joe Moore, Lorena Moore and Susan Moore.

These are all known to be Choctaw Indians, and said William McCagie Moore, son of Natokache Moore, is entitled to the rights and privileges of a Choctaw Indian.

Robert Hancock
.....

This is to certify that the foregoing is a true and correct copy of the original copy of the deposition of Robert Hancock now on file in my office.

Witness my hand and the great seal of the Choctaw Nation, this
A.D.
18th day of October, 1894.



J. B. Parker
.....
National Secretary, Choctaw Nation.

The Chocwtaw'Nation,
Scullyville County.

Personally appeared before me R.J.Ward, Clerk of
the County Court of Scullyville County, C.N. one Dave Colbert to me
well and personally known to be a Chocktaw Indian and resident of
Sons Bois County, C.N. who being duly sworn says that William McCagee
Moorenow a resident of Sugar Loaf County C.N., is of Indian descent of
the Chocktaw Tribe of Indians, he being a son of Natukchi Moore of the
old Nation who by me being well known to be a Chocktaw Indian, he
being the brother of James Moore, Charley Moore, Joe Moore, Lorena
Moore and Susan Moore. These are all known to be Chocktaw Indians,
and said William McCagee Moore is entitled to all the rights and priv-
ileges of a Chocktaw Indian

David T. Colbert

This is to certify that the foregoing is a true and correct copy from
the original deposition of Robert Colbert now on file in my office.
Witness my hand and the great seal of the Chocktaw Nation this the 18th
day of October, A.D. 1894.

Seal

J. B. Jackson
National Secretary Chocktaw Nation.

Choctaw Nation,
Sugar Loaf County,
Indian Territory.

Thomas D. Sexton after being duly sworn states that I am about 63 years old of age and reside near Summerfield, Sugar Loaf County, I.T. I am three quarters Choctaw Indian and one quarter white. I was born in Mississippi and came to this nation, country, I think that I was brought to this Nation in about 1837_ have lived every since in Sugar Loaf and Scullyville Counties, I.T. I am a Presbyterian ruling Elder. I am a member of the Choctaw Council at this time. I was county clerk of Scullyville County two years; also of Sugar Loaf County two years. I got acquainted with Wm. McCagee Moore about the year of 1875. He had just moved to this from Mississippi so I learned from him and others, but had staid fir short time over about Greenwood Ark. I was personally and intimately acquainted with Wm. McCagee Moore.s family. The oldest member of the family that came was named John N. Moore. He married. I got acquainted with his wife after he married. I know Fannie Moore, wife of M. McCagee Moore, also Letha Ann Moore, who married Wm. W. Harper about. the year 1880. in Sugar Loaf County. I.T.

Sugar Loaf County, I.T.

She has long black straight hair, complexion, ways and manners of other Indian women. Her father showed to be about one half or one fourth Indian, and spoke english, but had ways, looks and expressions like Choctaw Indians and its race. He always claimed to be Choctaw, improved places, paid permits for renters, but noe for himself, and done as other Mississippi Indians that come to this country and never proved up their rights . I have heard the Indians where he lived claim and talk about him being an Choctaw, and was so regarded by them; and from the above mentioned facts and other evidences there can be no question about him and his family being Choctaw Indians, and entitled to all the rights of other Choctaws. After he came to this country and after the Glenn and Tucker citizenship come up before

before the council. It has been every difficult matter prove any claim through it. There been at most every session to see what the members done, and the Indians since then have been highly prejudiced against claimants. Mr. Wm. McCagee Moore came to this country about this time. His health was then poor, he died in a few years. No objections was ever urged against the Moore family holding places. I am satisfied there would have been if there had been any doubt in their minds about their citizenship matter. I was present and voted in the house on the citizenship claim of Mrs. Bettie Lewis, a sister of Mrs. Latha Harper, and from the evidence we had before us, there was not a member voted against her and her children's claim. Several members of the council were personally acquainted with Mrs. Bettie Lewis, Mrs. Latha Harper and John Moore, and their father, was one reason why it went through so easy. Everybody seemed satisfied about the justness of the claim. I am not any way related nor is any of my family nor have any interest this matter. I am personally with Judge Gilbert Thompson, of Tuskahomma, I.T., and he with others of his province and standing have always claimed the justness of the Moore's citizenship. We have few citizens that stand higher with our people than Judge Thompson. He is at present keeper of the Capitol House, when the council is not in session. He carries the keys to all the doors, desks and has charge of the books, records and papers left there. This position is regarded by us as one of the most responsible ones our government has got as we have got his office is an one, and is one of trust and not pay, and is given to our most true and trusted men.

James D. Smith

Subscribed and sworn to before me this 26th day of August, 1896.

James C. Culbertson
County Clerk.
(Seal)

State of Arkansas,
County of Sebastian.

D.L. Pigg and Mrs. Martha Pigg being duly sworn,
depose and say; that they reside in Sebastian County Ark. Post Office
address, Greenwood, Ark. That he is 68 years old and that she is 66
years old, that they have been acquainted with Mrs. Letha Harper and
Mrs. Lezola Neal (Nick-named Bink) from their infancy, that they are
children of Wm. Moore, and that they have always claimed to have Indian
blood in them. That they were acquainted with Wm. Moore, their father,
for 10 or 15 years prior to their birth and that he always claimed to
be part Indian. That we have known Zela Neal every since she was born
and that she is a daughter and child of Lezola Neal. Further de-
posing they say that Mrs. Letha Harper and Mrs. Lezola Neal are sisters
of Mrs. Betty Lewis and that they are all children of Wm. Moore.

Witness:

J. W. Elkington

D. L. Pigg

Mrs. Martha Pigg

Subscribed and sworn to before me this 12 day of August, 1896.

Seab

John C. Latham

Notary Public.

My commission expires Feb. 23, 1899.

with Neals

State of Arkansa, 13
County of Sebastain. 1

Affidavit.

Mrs. Mattie A Neal being duly sworn says:
That she resides in Sebastain, Arkansa, that her post office address is
Greenwood, Ark. that she is 59 years old, that she has been acquaint-
ted with Zela Neal every since she was born, and that she is a daugh-
ter of Lezola Neal(commonly called Dink)

Mattie A Neal

Subscribed and sworn to before me this 12 day of Aug. 1896.

Seal

John E. Lohm
Notary Public.

My commission expires Feb. 23, 1899.

State of Arkansa.
County of Sebastain.

Mrs. S.L.Needham being duly sworn says:

that she resides in Sebastain County, Ark, and that her post office
address is Greenwood, Ark. that she is 48 years old, that she was ac-
quainted with Wm. Moore and has been acquainted with his family for
a long time, that Mrs. Letha Harper and that Mrs. Lezola Neal(commonly
called Dink) are children of Wm. Moore, and that they have always
claimed have Indian blood in them. That they are sisters of Mrs. Betty
Lewis. That Zela Neal is a child of Lezola Neal.

will needs

S L Needham

Subscribed Sworn to before me this 12 day of Aug. 1896.

Seal

John E. Lohm

Notary Public.

My commission expires Feb. 23, 1899.

United States of America,
Indian Territory,
Central District.

Joseph B. Tucker being duly sworn states;

I am 71 years

old and reside near Cameron, Indian Territory. I am what is known as a disputed claimant. About the year of 1875 I became acquainted with Wm. McCage Moore who had just moved into the Cherokee country, and located in Sugar Loaf County. I learned from Neshoba County, in the state of Mississippi, but had stopped for a few years near Greenwood, Arkansas. I became intimately acquainted with him soon after he came to the country. He always claimed to be a Choctaw Indian, and I saw him at the Choctaw Council, where he had gone to file his claim to citizenship. A number of other applicants were there, and none of them could get any attention paid to them at all. I was intimately acquainted with all of his children who were in this country. He had a daughter named Lethe Ann, and was about 15 years old when they came to this country. She afterwards married Wm. W. Harper. About the year 1881 she had a boy child born, and they named it Edgar. Mrs. Harper has not lived more than two or three miles from me since they moved to the country. She and her father had the features and the peculiarities of the Indian race of people, and there is no doubt but that they are Indians. I am not of kin to any the family, and have no interest in the result of their case.

Joseph B. Tucker
.....

Subscribed and sworn to before me this 1st day of September, 1893.

W. H. Manning
.....

Notary Public.

No.

—CLAIM OF—

Letha M. Harper.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

filed Oct. 7, 1894

M. W. J. J. J.

Swy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Letha N. Harper.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence in this case does not show that the applicants are one-eighth blood Choctaw Indians.~~

~~There is no evidence to show that this claim has ever been disputed by the Choctaw Nation.~~

Letha N. Harper.

By Sho Choctaw Nation
Stuart Gordon Wiley
Its Attorneys.

End

1896 Choc 1336

1896 Choc 1336

1

X

~~No 4411~~
1336
Hamp
us
Okslaiv Kate

FILED SEP 10 1880
A. S. L. K. H. R. O. N. K.
C. O. R. K. R. K.

Repet
A. F. M. H. R.
P. M. C. C. C.
J. C.

South Norchester, N.H.

Sept. 25th. 1886.

Received this day in the matter of citizenship of Hamp

against the Choctaw Nation papers purporting

to be copies as follows: sworn, affidavits of J. G. Farris

J. N. Moore marriage license

~~and certificate.~~

Stewart Gordon Huley

Attys for Choctaw Nation.

no 8
Jettison of
Hamm

Application For Enrollment.

To The Honorable Henry L. Dawes, Frank C. Armstrong, Archibald H. McKenney, Thos. B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4th 1896, to hear and determine claims for citizenship in the Choctaw Nation:

Gentlemen: The undersigned, your petitioner,

do and on behalf of

and him, this day make his their application to you for the purpose of being placed on the revised roll of Choctaw Indians and of those entitled to share in the distribution of funds and allotments of land in Choctaw Nation, by virtue of their Choctaw blood and I herewith submit the

in support of said claim, and respectfully submit the time when his application shall be heard and tried.

Respectfully Submitted

~~Hamp~~ ^{his} ~~mark~~

Enrollment of family with relationship attached as follows:

Names	Age	Relationship.
Hamp	25	1/2 Blood.
daughter, Effie	4	1/4 "
son, Elson	1 month	1/4 "

Personally appeared before me the undersigned Justice of the peace within and for the said Neshoba County and afore said ~~Hamp~~ who after being duly sworn states that the matters and things set forth in the foregoing petition are true as he verily believes

~~Hamp~~ ^{his} ~~mark~~

Subscribed and sworn to before me this the 26th day of August, 1896.

John, Smith J.D.

State of Mississippi }
County of Leshoba }

Personally appeared before the undersigned
an acting Justice of the Peace
in and for said County J. G. Farris
who makes affidavit that he is per-
sonally acquainted with Hamp and
has been since Child hood thus
the said Hamp is a half blood Cho-
ctaw Indian and is the son of
Billie who is a full blood Cho-
ctaw Indian who lives in this
Leshoba County Miss

J. G. Farris
Sworn to and subscribed before me,
this 26th day of August, 1896.

John L. Conkling, P.

Stat. of Mississippi }
County of Neshoba }

Personally appeared before the undersigned
an acting Justice of the Peace in and for said
County E. M. Moore who makes affidavit
that he is personally acquainted with
Hamp and has ^{since} ~~been~~ ^{known} him and that
the said Hamp is a half blooded
Choctaw Indian and is the son of Billie
who is a full blood Choctaw Indian
who live in this Neshoba County Miss

D. M. Moore
Sworn to and subscribed before me,
this 26th day of August, 1896.

John R. Anderson (J.P.)

No.

—CLAIM OF—

Hamp

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct 11* 1896. ★
A. S. McKENNON
COM 'R'

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Hamp

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence filed herein is unsatisfactory, and fails to give any history of the family of applicant. The proof seems to be that said applicant has Choctaw Indian blood in his veins; that he lives in the state of MISSISSIPPI; that he has never lived in the Indian Territory, and shows no intention of coming to the Indian Territory.~~

~~There is no proof that he has not taken lands in said state. WHEREFORE, defendant says that applicant is entitled to no rights in the Choctaw Nation.~~

HAMP.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 Choc 1337

1896 Choc 1337

To the Honorable The Law Commission Francis William Hooper
Applicant for Citizenship in the Choctaw
Nation Indian Territory who after
being duly sworn says on oath
that he is a Choctaw Indian by
Blood and Entitled to the rights
Privileges and benefits of Indians of
the Choctaw Nation Indian Territory
That Mina Morris a full Blood Choctaw
Indian Woman is the mother of Henry
Franklin a half Blood Choctaw Indian
and who is the Father of Mary Franklin
a one Quarter Choctaw Indian and
the wife of William Spring and who
is the mother of Betsey Spring who
married James R. Hooper and is my
Mother and on the side of my Grand
Father John Spring was a one-half
Choctaw Indian And the Father of
William Spring who is the Father of
my Mother Betsey Spring through
whom applicant claims his rights to
Citizenship in the Choctaw Nation That
his Citizenship is disputed and de-
nied by said Tribe. Applicant is
thirty years of age and a resident
of St Tammany Parish State of

Louisiana Applicant further states that he has not to the best of his knowledge violated any of the Laws governing the rights of Choctaw Indians or those claiming rights as such Applicant further states that his mother Betsey Spring the wife of James R. Foster was a sister of John S. Spring the father of Angus Adalaska Spring who is now an applicant before said Commission for Citizenship. Wherefore Applicant herewith submits this Application with the Evidence hereto attached and refers Your Honors to the Evidence contained in the records now on file before said Commission in the case of Angus Adalaska Spring for Citizenship in said Choctaw Nation for Proof of this said claim. A Copy of which is also hereto attached Applicant Prays Your Honors for Judgment Declaring him a Citizen and a member of said Choctaw Tribe and that his name be placed on the Rolls to be preserved and for all other necessary

Orders and decrees necessary and
Proper in the Premises

by Francis William Hammer
Sworn and Subscribed to before
me this 10th day of August 1894
H R Warren

Clerk & ex officio Notary Public
a true copy of the original application
for Citizenship of Francis William Hammer
in the Court of Session of N. S.

Witness my hand & seal of office
this 10th day of August 1894

H R Warren

Clerk & ex officio Notary Public

1

Choctaw Nation (Resammy
Indian Territory) appeared before
me at this
who after hearing by me duly
sworn said his name is E
Telle I am 37 years old
I reside in Moka Indian
Territory I have filled several
official positions in the
Choctaw Nation I was Nation
al secretary of the Choctaw
Nation for 3 years and as such
became familiar with all the
Citizenship Cases filed I am well
acquainted with George
Isaac. I examined him as a
witness in the case of H. H. Spring
for Citizenship in the Choctaw
Nation before the ^{Choctaw} Citizenship
Committee and he George Isaac
is a full blood Choctaw.
Indian and speaks the English
language very badly and broken
and is uneducated could not sign
his name had to make his mark
when signing his name. He lives on
Tangibahna Parish Louisiana
so he testifies. I am satisfied
from his evidence that there is

no doubt as to T. A. King
being Indian Choctaw Indian
T. Telle

Sworn and subscribed to
before me this 26th 3rd 186

J. F. Chambers.

N.P.

(seal)

State of Louisiana - Parish of Tangi-
pohoa, Testimony taken at the request
of August Adalaska Spring, in sup-
port of his application for membership
and Citizenship of the Choctaw Nation of
the Indian Territory -

Henry T. Spring being duly sworn says
that he is a resident of the Parish of Tan-
gipohoa in the State of Louisiana, that he is
fifty four years old, and is well acquainted
with August Adalaska Spring, who
is now in the twenty fifth year of his
age - is also well acquainted with his
father John S. Spring, who is de-
ponent's brother, deponent's father,
William . . . Spring grandfather of
August Adalaska Spring, died
in the Parish of Tangipohoa, in the
year 1876 at the age of eighty one years
was also well acquainted with Mary
Spring, who was the wife of Mr Spring
deceased, and mother of this deponent -
and grand mother of said August
Adalaska Spring - Deponent fur-
ther says that a tradition has always
prevailed in his family that they
were of Choctaw Indian origin
says that he has often heard his

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mother say that her ancestors in one
line were Choctaw Indians, and
that her great grandfather was a half
Choctaw and his mother a Choctaw
woman of full blood - It has always
been held and said that the Springs
were of mixed Indian blood and
this fact is generally conceded from
the features and physical appearance
of the older members of the family, and
the same features and appearance
distinguish some of the younger
members - Witness says by features &
appearance as above used he
means a striking resemblance (in-
cluding complexion) to the Choctaw
Indians, The fact of the family being
partially of Indian blood is believed
throughout the country where they
are known and has never been denied
Witness also says that there ^{is a} ~~has been~~
tradition that his father ~~the~~ Springs
deceased, was undoubtedly a descendant
from Indians

Sworn to and subscribed }
before me this 30th day, } Henry F. Springs
A.D. 1883
N. A. Vernon Clerk

3
John S. Spring being duly sworn
says that he is a resident of the Parish of
Washington, State of Louisiana is fifty-
two years of age and the father of
August Adalena Spring, who is in
the twenty fifth years of his age, witness
says he has frequently been told by his
mother Mary Spring, deceased, that
her great grandfather was one half Choctaw
Indian and that the mother of his great
grandfather was a Choctaw woman of
full blood. He says that there has
always been a tradition that his family
were descendants of Choctaw Indians
on his mother's side and it is generally
believed that they are of Indian
origin, this belief is supported by the
fact that there is a strong resemblance
in the Spring family to the Choctaw Indians
both in features and complexion, this
resemblance is more striking in some
members of the family than others -
Their descent from the Choctaw is gen-
erally believed and has never been de-
nied, August Adalena Spring was
born in St. James Parish, was raised
in Washington Parish and for some
years past has been a resident of the

Parish of Tangipahoa
Sworn to & Subscribed }
before me this 30th day, } John S. Spring
A.D. 1883
D. A. Vernon Clerk

Galusorn B. Spring being duly sworn
says that he is the son of Mr. Spring and
Mary Spring deceased, the grandfather
and grand mother of August Adalaska
Spring, says further that he has been
informed that his said parents were
descendants from American Indians
and has been told by his mother that she
was partly of Choctaw Indian blood,
Witness was fourteen years old when
his mother died - remembers her well &
remembers distinctly of having
spoken of having Indian blood, the
fact of the Spring family being partly
Indian is generally believed in the com-
munity where they live is often spoken of.
No attempt has ever been made to conceal
it and it has never been denied or doubted.
This belief is strongly sustained by the per-
sonal appearance, features and com-
plexion of the different members of the
family -

Sworn to & Subscribed

Subscribed on this 3rd day,

A.D. 1883

A. A. X. sworn Arc

} L. B. Spring

Bolivar Edwards being sworn says that he is forty six years of age, that he is a native of the Parish of Tangipahoa State of Louisiana and has resided all his life in said Parish except for a few short periods when he resided in the adjoining Parishes of Washington and St. Tammany, that he is a lawyer by profession, has been a member of the Louisiana State Legislature, was District Attorney for six years in the Judicial District embracing said three Parishes and by reason his official positions and the practice of his profession he has enjoyed great facilities for becoming acquainted with the people of this Section of the Country and of acquiring a knowledge of their affairs &c. Witness says that he is well acquainted with the Springs family and has known them all his life, the said family is one of good standing

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and respectability in this community, has always been held that they were of Choctaw Indian origin. The tradition and belief that they were descended from Indians is widespread & often mentioned, and no one acquainted with them who has seen Choctaw Indians doubts their Indian origin - In their personal appearance - features and complexions they resemble Choctaw Indians; In some of them the resemblance is strongly marked. The father of witness died a few years ago (1877) at the age of ninety years, and witness has heard him and other old people speak of the tradition, that the Springs family were of Indian descent. In fact it was never doubted in this country. The Springs family referred to above is the one of which Angus Adalena Spring is a member. Witness was well acquainted with Mr. Spring deceased, grandfather of Angus Adalena Spring and knows that the remnant of Choctaw Indians in this country lived on the lands of said Mr. Spring, more often at his house and between said Spring

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and said Indians there always
existed and still exists a close intimacy
and friendship which grew out of the
fact that the Indians regarded the
Springs as fellow Indians, Wilkes
says that he has no interest in the
matter or purpose for which this
testimony is taken

Sworn to & Subscribed }
before me this 30th day } Balmer Edwards
Oct, 1883

A. A. Vernon Clerk

A. A. Vernon being duly sworn says
that he is well acquainted with the Springs
family, and has known them all his life
having been raised within a few miles of
them and has associated with them all his
life. Wilkes has often been told by his
parents and others that the Springs men
of Choctaw Indian origin. The general
belief throughout the country was that
they were descended from the Choctaw In-
dians and any one acquainted with them
who has seen Choctaw Indians could not
doubt their Indian origin. In their
personal appearance features and
complexion they resemble Choctaw

Indians - In some of them the resemblance to Choctaw Indians is strongly marked - The Spring family mentioned above is the one of which Augus Adalaska Spring is a member, Titicus was intimately acquainted with the Spring dead, grand father of Augus Adalaska Spring knew him all my life up to the time of his death, and knows that Indians camped and lived on his the Spring lands ever since I can remember. Titicus is thirty eight years of age
Sworn to & subscribed
before me this 3rd Feby, } H. A. Vernon.
A.D. 1883-

Geo. M. Thompson Judge 18th
Jud. Dist. of La.
State of Louisiana Parish of Tangipahoa
I hereby certify that all of the foregoing witnesses are personally known to me as persons of veracity - That H. A. Vernon is Clerk of the 18th Jud. Court for the State of Louisiana, Parish of Tangipahoa That I have known the family of Springs of which Augus Adalaska Spring is a member

for over thirty years, have always
heard that said family had Indian
blood in their veins - and the personal
appearance of many members of the
family shows their Indian origin.
The fact of their descent from Indian
ancestors has never been disputed
to my knowledge.

Feby, 3rd 1883

Geo. M. Thompson
Judge, 18th Jud. District of La.

State of Louisiana } Before me J. P. Mall a no-
Parish of Tangipahoa } tary Public in and for the
State and Parish afore-
said duly Commissioned and sworn
as such, Came and appeared John
Miley, a Citizen of Tangipahoa Parish who
declared that he is eighty one years of
age, and has known the ancestors of
August Adalaska Spring from child-
hood that the ^{late} grandfather of August
Adalaska Spring was named
Henry Franklin, and was a dark
skinned man and was known as
and generally conceded to be part
Indian, his features was of a
marked character that during

Malitia mestos a prejudice prevailed
 among the whites to so great an extent
 as to their refusing to mix with him,
 And I was raised with the grand mother
 (Mary Spring) of Angus Adalaska
 Spring, she being a daughter of Henry
 Franklin, and I have heard her often
 speak of her people, she was of a very dark
 complexion and her hair and features
 denoted Indian origin - he further
 says he knew John Spring the great
 grand father of Angus Adalaska
 Spring, He was dark skinned black
 straight hair - high cheek bones
 hollow footed and was always consid-
 ered of Indian origin - I have known
 him when under the influence of
 whiskey call himself "Big Indian"
 It was his common remark when
 drinking, He says he was raised with
 Hm. Spring the grand father of Angus
 Adalaska Spring, he had the same
 features complexion & general make of
 his father, and his home was always the
 rendezvous of the Choctaw Indians and
 always remained on or about his place up to
 his death & in fact some are even now
 in the neighborhood.

The Indians were always protected & supported by him and they were always acknowledged as being of the same tribe. - he says from his general knowledge of the family and their married Indian features & complexion and their associations with the Choctaw Indians, he is satisfied that they were of Indian origin. He further says he has no interest in making this testimony except to establish an old tradition which has always prevailed that the Springs were of Indian descent - on both the maternal and paternal side.

Sworn & subscribed to }
before me on this 5th } His
day of Feby. 1883 } John X. Wiley
J. P. Wall Not Pub. } sworn

State of Louisiana } Before me J. P. Wall a
Parish of Tangipahoa } Notary Public in & for
the Parish and State
After said duly commissioned and sworn
as such, came and appeared Harriett
Booker a Citizen of the Parish of Tangipahoa
who says she is about 74 years of age
and has known the ^{ancestors} ~~ancestors~~ of August
Adelena Spring from childhood

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That the great great Grand Mother of
August Adalaska Spring was named
Minea Morris & was of a dark red
Indian color & was called a Choctaw
Indian, She was the mother of Henry
Franklin, the great grand Father of
August Adalaska Spring, who was
dark skinned and had hair and features
of an Indian, and always called of
Choctaw Indian descent. She also
knew Mary Spring, the grand mother
of August Adalaska Spring. She was the
daughter of Henry Franklin and had
the same Indian features as her pa-
rents. She also knew John Spring
great grand Father of August Adalaska
Spring, he was a dark skinned & had
Indian features and looked very
much like an Indian. Wm Spring
a son of John Spring, and grand
father of August Adalaska Spring
had similar features and always
said and acknowledged he was of
Choctaw origin, and always had a
gang of Indians at his home
and always supported them and
always acknowledged to be a descen-
dent of their tribe.

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and from her general knowledge
and having been raised with the family
she has no doubt of their being of Indian
Indian descent

Signed & Subscribed }
before me on this 5th } Hamilton X Boonster
Feby. AD. 1883 } mark

J. P. Hall Not. Pub.

State of Louisiana } Clerk & Records
Parish of Tangipahoa } Office

I, Victor Castaing, the duly qualifi-
fied Deputy Clerk in & for Tangipahoa
Parish La. Do hereby Certify that J. P.
Hall, whose signature appears to the
within foregoing Testimony was
at the signing of the same, a duly
qualified Notary Public in & for the
Parish of Tangipahoa, that his sig-
nature thereto is genuine & correct
and that full faith & credit ought
to be given all his acts as such

In faith whereof I grant my
official seal & hand & Seal this 7th
day of Feby. 1883

V. Castaing
Dy. Clerk.

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Geo. H. Spring being sworn says, and
 57 years of age, and a brother of H. F.
 Spring and Jno. S. Spring and after
 reading their testimony in regard to
 our parents being of Indian origin
 without repeating their words and to
 corroborate my testimony, which is the
 same substantially as theirs, and in
 addition, will say, that I remember
 both of my grandfathers and one of my
 grand mothers, and that they were of
 dark complexion, and one of them,
 grandfather Spring, spoke broken
 in many words, they originally came
 from the Carolinas to this State, I
 think in about the year 1822 my
 grandfather Franklin removed to
 Prairie County Miss. about the years
 1827 or 1828, and I have been told, to
 what was called the purchase, as that
 portion of the State had been pur-
 chased from the Choctaw Indians
 in 1840 when I was a boy of 14 years old
 I was at my grandfather Franklin's and
 stayed some two months on a visit, while
 there, there was a great many Indians
 camped on his place, my two uncles
 James & Milton Franklin

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Speak the Choctaw language and
also one or two of my uncles to some extent
I have heard my grandfather Franklin was
one of the heirs to a large extent of land
lying in Brunswick County and some
other County in North Carolina and
one or two Counties in South Carolina
being on the State line & partly in both
States, I do not now remember the
Counties involved, It was a donation
made by the United States to the Indians
some of Franklin's heirs were urged to proceed
& prosecute their claims about the year
1853, I was told, but finally abandoned it
owing to the expense, Indian names have
been retained in our family - I have
one sister named Alice Paddhonts. The
Indians that lived on my father's place
after his death, moved on my place, I gave them
and they now live on my place, In a grove
near and otherwise our family is terrified
as being of Indian origin by parties
familiar with our origin which we
never denied, or tried to disprove, on the
contrary we exult in our slave
Anno 1853
witnessed this 8th July, 1853 } S. N. Spring
V. Casting Dy. Clerk,

George Isaacs, being some days, I am
about 40 years of age, I was born and raised
on Mr. Springs place, in this Parish I am
a full blood Choctaw Indian, I was well
acquainted with Mr. Spring grand
father of Adego Adalacoo Spring, lived
on his place till his death, in 1876, after
which Mrs. N. Spring gave me land, and I
now live on his place, I know that the
Indians always lived on Mr. Springs place
and that there always seemed to be a
strong attachment between him and the
Indians, for which cause, I have always
understood that the Springs family was
part Indian, and which fact they
never denied, I have always heard
that they were mixed with Indian
they have a strong resemblance to the
Indians, in fact some members of the
family are very dark with black hair & eyes
I never have seen any of the family but
what had black eyes, even the grand
great grand children, when we had
our dances the family always attended
and some of the younger ones took part
in the dances - sometimes he furnished
us with some provisions such as beef
pork &c.

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for the occasions of the dances which
sometimes lasted a week - I have often
heard people say - the Spring family
was kind to the Indians, I know that
they always assisted the Indians
if they got into any trouble
Sworn to & Subscribed } ^{his} George Isaac
before me this 12th day }
1883 - V. Coatsworth Dy. Clerk

State of Louisiana } Clerk's Office 18th
Parish of Tangipahoa } Judicial Dist. Court
of Louisiana
I, Daniel A. Vernon, Clerk of the 18th
Judicial District Court of Louisiana
in and for the Parish of Tangipahoa
do hereby certify, that I am well ac-
quainted with H. F. Spring John D.
Spring G. B. Spring and Bolivar
Edwards that they are men of re-
sponsibility and worthy of belief,
that they were duly sworn by me &
gave their depositions in the form
manner & words & figures as above
set forth written & signed and that
their signature thereto are genu-
ine: That J. P. Hall, before whom
the testimony of John Wiley and

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Harriett Bookler was taken, is true
 at the time of taking said testimony
 a duly qualified Notary Public of
 this Parish and State and that his
 signature as written herein above
 is genuine: That John Wiley &
 Harriett Bookler are persons well
 known to me and are credible wit-
 nesses: That V. Costain, before
 whom the testimony of Geo. H.
 Spring & George Isaacs was taken is
 true at the time of taking the same
 the duly qualified and acting Dep-
 uty Clerk in my office is author-
 ized by law to administer oaths and
 that his signature as it appears
 in connection with said testimo-
 ny is genuine: That Geo. H. Spring
 and George Isaacs, (the latter a full
 blood Indian) are credible wit-
 nesses - I further certify that
 James M. Thompson whose state-
 ment and certificate is given on
 page (8) of this testimony is the
 duly qualified and presiding
 Judge of the 8th Fed. Dist. Court
 of Louisiana, that Tangipahoa

Parish is embraced in said Dist.
That said Court is a Court of record,
having a seal, the same being also
the Clerk's seal, and that the signa-
ture of said James M. Thompson
as affixed to said Certificate is
true, and genuine -

In faith whereof I have
hereunto affixed my official
signature on this the (3rd) thirtieth
day of Feb'y, A.D. 1883
D. A. Vernon Clerk

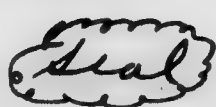
8th Judicial District Court Parish
of St. Tammany State of Louisiana

Personally
came and appeared before me J. M. C.
Morgan Clerk of the aforesaid
Court, Eliza Fock who being duly
sworn, Testifies & says that she is
a Choctaw about 80 years of age
was born in the State of Mississippi
and removed to the State of Louisi-
ana, when a girl, I was raised up
with Betty Leavelle, they were
brother & sister and one quarter
Choctaw, Their Father was a Choctaw
named Thomas Jefferson Leavelle

9-0

I know Dety Franklin married had
Children, & one named Feresa, Henry
Franklin also married and had
Children, Among them one named
Mary who married a man named
Wm Springs since coming from
Mississippi, I have always lived
in the Parish of Tangipahoa & St.
Tammany and in the immediate
neighborhood of the home of
Wm Springs and his descend-
ants.

Sworn to & Subscribed }
To me this 6th day of } Eliza Jack
Oct, A.D., 1887. } Clerk



Wm. C. Morgan
Clerk.

This is to certify that the foregoing is
a true and correct copy from the
original Affidavit of Eliza Jack
in behalf of F. A. Springs for Cit-
izenship in the Choctaw Nation
now on file in the office of National
Secretary at Tachka Kuma the
Capitol of the Choctaw Nation

Witness my hand & the Great
Seal of the Choctaw Nation this
the 19th day of August A.D., 1896

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J.B. Jackson National Secretary
Choctaw Nation

Jackson Jim, being duly
sworn, testifies & says - my name
is Jackson Jim, I am a Choctaw
law, am 47 years of age, I was born
in Madisonville St. Tammany Parish
of State of Louisiana have always lived
in said Parish, & State, I have known
the family of Mr. Spring all my life
& know that they have Choctaw blood
in them have always associated with
from boyhood with the children of
Mr. Spring

His
Jackson & Jim
mark

Sworn to & Subscribed
before me this 6th Oct.

A.D. 1884

H.M.C. Morgan

Notary

Clerk

This is to certify the foregoing
is a true and correct copy from
the original Affidavit of Jackson
Jim in behalf of A.H. Spring
for citizenship in the Choctaw Nation
now on file in the Office of National
Secretary at Tuskahoma the Capital
of the Choctaw Nation

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Witness my hand & the Great Seal
of the Choctaw Nation this the
19th day of August A.D., 1896

J. B. Jackson
National Secretary
Choctaw Nation

The State of Texas } Personally ap-
County of Montague } pear ed before R. B.
Malloy, a Notary Public in and
for Montague County Texas
James O. Pool a resident of the
City of Waco in Montague County
Texas, who after being by me
duly sworn, deposes and says
that he was born and raised
in Washington Parish Louisi-
ana and has ever lived in
said Parish and that of the
Parishes of St. James until
the year of 1885 in which said
affiant moved to the County of
Montague State of Texas, and
has resided in said County
ever since, says he has known
the Springs family from Child-
hood. was well acquainted with
William Springs and wife.

who are the grand father and
 grand mother of Angus Adalena
 Spring, and also of Maudie Hellen
 Spring, who is now the wife of Ed
 Mattox and the mother of one child
 namely Mudge, a girl two years the
 31st of May 1896, said Mrs. Spring &
 wife are the parents of Henry, George
 John Jerry James & Salmon Spring
 and John Spring ^{one} of the sons of Mrs.
 Spring & wife is the father of Angus
 Adalena, and James Spring one
 other son of Mrs. Spring & wife, Mary,
 Spring is the father of Maudie Hellen
 Spring, now the wife of Ed Mattox,
 now residing at Caddo Indian
 Territory, affiant and Jerry and
 James Spring went to school to-
 gether at Franklinton Louisiana
 in the years 1858-1859- & 1860- the
 Spring family was recognized and
 often called mixed bloods by ~~the~~
 the many people in Louisiana.

Many people in Louisiana
 looked upon a man who had In-
 dian blood in him as inferior
 and of a lower race of people than
 that of whites and I have often

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seen Jerry and James Springs
 mistreated by the whites on account
 of their being partly of Indian
 blood. Jerry Spring showed the
 Indian blood much more than
 any of the other Brothers, His father
 William Spring in speaking of him
 often called him his Indian. He
 was called by many of the scholars who
 attended school with us Indian
 Jerry. He was about six feet 2 inches
 high, very dark complexion high cheek
 bones, long straight black hair small
 black eyes, and could not see ~~than~~ any
 man I ever saw. That, I ever noticed
 in this respect, I was also well ac-
 quainted with William Franklin,
 He lived in what was called the
 purchase in the State of Mississippi
 who is a brother of Mary Spring, wife
 of Wm. Spring, who are the grand
 Parents of said Angus Adalason
 Spring and of Maude Hellm Spring
 wife of Ed Motton. I have often heard
 him speak of his Indian blood
 and say, he did not consider it any
 disgrace to be of Indian blood -

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And considered himself as
good as anybody - The Springs fami-
ly was always kind to the Indians
and ever ready apparently to assist
them - I once knew of some trouble
between some of the Indians in
Louisiana and some of the whites,
in which the Springs family ~~with~~
took sides with the Indians -
They were Choctaw Indians

J. O. Pool,
Sworn to & Subscribed
before me this August
1st 1896

R. B. Mattox
Notary Public in
and for Montague County
Texas

The State of Texas }
County of Montague }
I, S. F. Newman, Clerk of the County
Court of said County: (Which is a court
of record.) Do hereby certify that R. B.
Mattox is a Notary Public in and for
said County, duly commissioned
and qualified, and authorized by
law, to administer oaths and take
acknowledgments of instruments

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And full faith and Credit are
due to all his official acts as such.
And that his term ^{as such} began - on the 1st
day of June 1895 - And will end on
the 31st day of May 1897 -

In witness whereof, I have here-
unto set my hand and affixed the
seal of the said County Court, at
my office in Montague the 10th
day of August, A.D. 1896

S. S. Newman
Clerk County Court, Montague
County Texas
By S. S. Newman
Deputy

The State of Texas } Before me, A. J. Thompson
County of Cook } Clerk of the County Court,
of Cook County Texas, on this day personally
appeared J. F. Filly, who being by me
duly sworn on oath says that he is a native
of the State of Louisiana and resided there
in the city of New Orleans and in the Parish
of Tangipahoa, about 3 1/2 to 4 miles from
the City of Acute and east of Acute
until the month of May in the year 1877
when he emigrated to Garrettsville in
Cook County State of Texas arriving in

said City of Gainesville on or about the
 11th day of May, A.D. 1877. That he has
 resided in said City of Gainesville con-
 tinuously ever since, except a period from
 October 1st 1877 to September 1st 1878. Where
 he lived in the city of Sherman, in Grayson County,
 Texas, that in November 1880 he was elected by the people of
 Cook County to clerk of the District of said county and
 has been re-elected to said office several times. That
 he is now serving his sixteenth as such clerk,
 that he is acquainted with the county and the people
 in the Parish of Tangipahoa, in the State of Louisiana having
 married in said Parish in March 1867 shortly before
 which time he became acquainted with the family of
 Mr. Spring through the lady whom he married and whose
 sister afterwards married James F. Spring, a son of
 the said William Spring. That he moved to the Parish
 of Tangipahoa and lived there and within a mile of the
 residence of the said William Spring from about 1868 to
 1874 and about 4 miles from there at Denile City on the
 railroad until 1877 when he removed to Texas. That
 during his residence in that county he became and
 was very intimate with the Spring family; that he visited
 them frequently & frequently stopped and talked with the
 old man Mr. Spring, who was then apparently about 60 years
 of age. That the family of the said Mr. Spring consisted
 of 6 boys & 8 girls, George Spring, Jerry Spring, John
 Spring, James F. Spring, Robert Spring, and

Henry Spring - Hollie Spring - Rittie Spring & Alice Spring
Rittie Spring was dead when I began to live in that country
and Miss Hollie had her child (Francis Hume) she having
married a man ^{in the same country} by the name of Hume who is now
dead but married her because she was pretty, but really
neglectful - her it was said because there is a blood
The Indian blood in the Spring family, as well in con-
sequence of the - the Indian characteristics of the
section of the country in that country. While
very old, looked them kindly, & yet there was
conquintality between them and their white neighbors
there was remarkable shyness, and backwardness
and embarrassment and in part in the presence of
neighbors. It was well known and common. Talked
about, this Indian blood in this family. Mr. William
Spring was the champion patron and friend of the poor
neighbored Indians of that section of country they were
Choctaws, I think. There was also a part of the same
tribe at an old town on the edge of Lake Pontchartrain
known as Covington. Mr. Spring granted to the Indians
a part of his land which was used by them as a camp. I
have passed through their camp often and have
heard their lamentation on death of a member of
their band, and their dancing and singing when
days of mourning was over - Each member of the
Spring family bore the features of the Indians and
though whatever of white blood they had, the Indian
features predominated

Swarth Complexion - Black eyes - long straight black
hair - Each in natural dispositions and traits of
character resemble the Indian -

James T. Spring - one of the sons of Mr. Spring - and his
wife, Mary Spring, married Cornelia Burch, who
was the sister of my first wife, and there was born to them
only one child, a girl, Nevada Hellen Spring who
is now the wife of Ed. Mott and who is now residing
at Oelde in the Indian Territory, and has had born
unto her one child a girl named Madge, ago now
about 2 1/2 years - John Spring also a son of Mr.
Spring and Mary Spring of Indian T. and a brother of Jas.
T. Spring is the father of Angus Adalaska Spring
and these two as well as each member of said family
I have known personally and intimately since
1867. J. F. Filly.

Known and Subscribed to before me this
August 11th 1896

A. J. Thompson
County Clerk
Cook County Texas

The State of Texas }
County of Cook }

I, J. P. Hall, Judge of the County Court
of said County, (which is a Court of
record) do hereby certify that A. J. Thompson,
whose name is subscribed to the a.

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next and foregoing instrument as at the
date of same, and is now a clerk of the County
Court in and for said County, duly
commissioned and qualified, and
authorized by law, to administer oaths
and take acknowledgments of instruments
and full faith and credit are due to all
his official acts as such -

And I do further certify that the signature
attached to the annexed instrument is his
proper signature, and is genuine.

In witness whereof, I have hereunto
set my hand and affixed the seal of
the said ^{County} Court, at my office in Gainesville
This 11th day of August A.D. 1896

J. P. Hall Judge
of the County Court, of Cook County
T. H. O. D.

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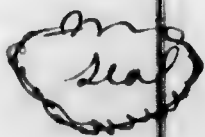
18th Judicial District Court
Parish of St. Tamary
State of Louisiana

Personally come and appeared before me
Wm. C. Morgan Clerk of the aforesaid Court
Eliza Jack who being duly sworn
Testifies and says that she is a Choctaw
Indian about eighty years of age was born
in the State of Mississippi and removed to
the State of Louisiana when a young girl
and was raised up with Henry and Betsy Franklin
they were Brothers and Sisters and one quarter
Choctaw their Mother was Choctaw named
Thomas Jefferson Franklin, now Betsy
Franklin married and had children and one named
Louisa, Henry Franklin also married and had
children among them one named Mary who
married a man named William Spring.
Since coming from Mississippi
I have always lived in the Parish of Tangipahoa
and St. Tamary and in the immediate neighborhood
of the home of William Spring and his descendants

sworn to and subscribed
before me this 6th day of
October A. D. 1887

Wm. C. Morgan
Clerk

Eliza Jack
mark



The State of Texas, County of Williamson.
B. R. B. Wall, do hereby certify that the
foregoing is an exact and correct copy of
the original now before me as taken by
William C. Morgan Clerk of the 10th Judicial
District West of Louisiana.

This August 11th 1854.

B. R. B. Wall

Notary Public in and for Wil-
son County Texas.

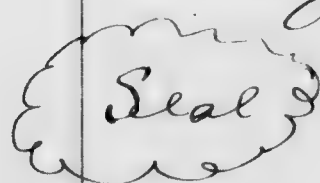
The State of Texas
County of Montague & Personally
appeared before me
N. B. Mattox a Notary Public
in and for Montague County Texas
James L. Franklin who after
being by me duly Sworn
on Oath Says that he is (73)
Seventy three years of age
and a citizen of Tarrant County Texas
That he is intimately acquainted
with the Spring and Franklin
Families and has been all his
life that Nina married a
Full Blood Choctaw Indian
married a white man named
Thomas Jefferson Franklin who
had one Quarter Indian Blood in
him. And they had (12) Twelve children
One of which was named Henry
Franklin and he married a white
woman named Sarah McGinnis
and they had children one of which
was named Mary. And she married
a white man with one Quarter
Choctaw Indian Blood in him
And they had children
One of which was named

Betsey Spring And she
married a white man named
James R. Hooper And they had
one child a Boy, named
Francis William Hooper. who is
an applicant before the Dawes
Commission for Citizenship
in the Choctaw Nation & Also
Betsey Spring is a full sister
of John S. Spring the Father of
August Adalastha Spring also
an Applicant for Citizenship
in the Choctaw Nation before
the Dawes Commission

J. L. Franklin

Subscribed and sworn to
before me this 31st day of
August 1896

R. B. Mattox



Notary Public in and
for Montague County Texas

State of Louisiana Parish of St. Tammany
Personally appeared before me James
M. Thompson one of the Judges of the
Court of Appeals of this State who deposes
that he has known Francis William
Hooper ever since his birth that he
has known his family and ancestors
for at least forty years that he has
no doubt from the appearance of the
elder members of the family and from
common report that said Hooper is a
descendant through ^{both} the female ^{male} line
from the Choctaw Indians that he
has always heard it so asserted and
never denied.

Sworn and Subscribed } Jas. M. Thompson
to before me this 10th }
day of August 1896. }

A. R. Warren

Clerk of Court

I hereby certify this to be a true and correct
of the original affidavit of Jas M. Thompson
witness in case of F. W. Hooper to citizen-
ship in Choctaw Nation I.T.

A. R. Warren

Clerk of Office Nat Park

State of Louisiana } Before me the under-
Parish of St. Tammany } signed authority per-
sonally appeared. Clay Elliot Esq.
Senator from the 17th. Senatorial District
of this State and who after being by me
duly sworn says that he has person-
ally known Francis William Homer
since his earliest recollection and that
affiant will be 34 years old in October
coming that said Homer & himself
were boys raised in the same neigh-
borhood and he has also known per-
sonally during the same time his an-
cestors on his mother side that his
mother was a Spring and he has always
heard it affirmed and universally
admitted by all who knew the family
that they were descendants from the
Choctaw Indian and affiant is con-
fident of its truth

Subscribed & Sworn before } Clay Elliott
this 12th day of August 1896 }

H. R. Warren

Clerk of Court

I hereby certify this to be a true and correct
copy of the original Affidavit of Clay Elliott
witness in case of F. W. Homer to citizenship in
Choctaw Nation I. J. H. R. Warren, Clerk of Court

State of Louisiana } Personally appeared
Parish of St. Tammany } Before me Jackson
Jim a full blood Choctaw Indian who
deposes and says that he has known Francis
William Hooper Ever since he was born
And that he has known the family and
Ancestors for the past 50 years & that he
has no doubt from the appearance of the
Elder members of the family and from common
report that said Hooper is a descendant
through the female line from the Choctaw
Indians that he has always heard it so
asserted and never denied

Sworn and Subscribed Before } Jackson Jim
me this 10th day of August AD 1896 } near

H. R. Warren

Clerk of Court

I hereby certify this to be a true and correct
copy of the original affidavit of Jackson
Jim witness in case of F. W. Hooper to
Citizenship in Choctaw Nation &c.

H. R. Warren

Clerk & Officer Notary Public

State of Louisiana }
County of St. James,) Personally appeared
before me James P. James, the father of said
William James and after being by me duly
sworn depose and say that he is the father
of the said Francis William James. That he
married his mother Betsey Spruill in 1864
and has always lived in wedlock and
never denied that Betsey Spruill his wife
and mother of said Francis William James
was an Indian - Indian descent.

J. P. James
Sworn to and subscribed to before me this
11 day of August A.D. 1896

J. P. James

Have read & signed the foregoing
to certify the above and I declare to be a true and
correct copy of the original affidavit of James
P. James

H. R. Warren

Clerk & Ex-officio Notary Public

No. 1337-

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. N. Harmer

VS.

Choctaw —

Nation.

Received and filed this

day of

189.

Secretary.

SEVENTH JOB PRINT. FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of

vs. Nation, as follows:

Application

Answer

Exhibits

WITNESS my hand and official seal at

this the day of

H. M. Jacoway, jr.

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End

1896 Choc 1338

1896 Choc 1338

Application for Indenture

Indian Penn
Attest County

Declar me the undersigned a Notary Public.
this day personally appeared Paul Harlin
was of the being duly sworn to the following.

My name is Paul Harlin and a citizen
of the Cherokee Nation by marriage. My place of
abode is out of the Indian Penn. I am 26
years of age. I married J. M. Harlin
a citizen of the Cherokee Nation by blood. &
who is duly registered & recorded as such.
We were married on 28th day of June 1896 ac-
cording to the laws & custom of the Cherokee
Nation. At the time of our marriage we
neglected to get a certificate of same and we
cannot now find the persons who married
us.

Witness

Joe A. Bogy
Ans. Martin

Witness my hand this 4th day of Sept. 1896
Paul Harlin

Seen to and subscribed before me this 4th
day of September 1896

Notary
My commission expires 3rd March 1897

Affidavit of Witness

Indian Par
Attk's bench

Be in me the undersigned a Notary Public this day
personally appeared Wm Holder who after being
duly sworn states as follows.

I am 31 years of age and a citizen of the
Chatham County of Georgia. My Post Office
address is East Gt. Indian Territory.
I am personally acquainted with Pearl
Harlin & know her on June 28-1896
she married G. W. Harlin a citizen of the
Chatham County of Georgia and that they were
married according to the laws & customs
of said Territory. I was personally present
at the wedding. I have known said Pearl
Harlin about 5 years.

Witness

Jos A Bogg
G. W. Martin

Witness my hand this 4th day of September 1896
Wm Holder
Notary

Seen to & subscribed before me this 4th day of Sept 1896

J. P. Bogg

my commission expires 2nd March 1899

affidavit of matrimony

India Pen
Attest before

Before me the undersigned a Notary Public this day
personally appeared John D. Price, who after being duly
sworn states as follows.

I am 41 years of age and a citizen of the
Clinton Notion by marriage. I am personally acquainted
with Pearl Harlin the applicant & her husband
J. W. Harlin who is a citizen of the Clinton Notion.
They were married June 28-1896 according to
the laws and custom of the said Notion &
she by said marriage is duly recognized as a
citizen of said Notion.

Notary

Jos A. Boag

Notary

Witness my hand this 4th day of September 1896
John D. Price

Sworn to and subscribed before me this 4th day
of September 1896

[Signature]

My commission expires 1st March 1899

Applicate #1338
Emollman

of
Paul Harkin
Coal Gate
H.

Done.

Recd Sept 9-1896

Respect.

H. T. V. Perry,
Coalgate, Ind. Ter.

No.

—CLAIM OF—

Pearl Harlin

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Oct. 11, 1906. ★
A. S. MCKENNON
COMMISSIONER

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Pearl Harlin

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

No marriage license or certificate of marriage, nor copies thereof, have been filed in this case, and there is no proper proof of marriage, and no proof of marriage according to Choctaw Laws.

Pearl Harlin.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 Choc 1339

1896 Choc 1339

In re Jonathan Hazel
et al ¹³³⁹
No. 2760

Application before
the Commission to
the five civilized
tribes for enrollment
and citizenship in
the Choctaw Nation

Filed Sept 9th 1896

H. M. Jacobson
clerk
Clerk.

Davidson & Carter
Attys for Applicants
Pineville La.

SOUTH McALESTER, INDIAN TERRITORY,

September 7th, 1896.

RECEIVED this day of Dorset Carter, the following papers,
purporting to be copies of the papers in the claim of Johnathan
Hazel et al., in their application for citizenship in the
Choctaw Nation or Tribe of Indians, to-wit:

Application for enrollment.

Affidavits of Benjamin Freeney and Susan E. Mays.

and Exhibits thereto attached, marked A and B

Stuart Gordon & Bailey
Attorneys for the Choctaw Nation.

Jonathan Hazel, Evaline H. Hazel, Carrie M. Hazel, Lizzie
W. Hazel, Arthur W. Hazel, Alberta E. Hazel, Lura J. Hazel, George J. Hazel
Benjamin Freemy, and Susan Mayo

_____ Division, NY -

James H. ... to ... Court, ... of ... in ... to ... Court, ... to ...

District Court

An act establishing the rights of Caroline
M. Hazel, Children and Grand Children
Sec 1 Be it enacted by the General
Council of the Choctaw Nation assembled,
That Mrs Caroline M. Hazel and
her children Johnathan Hazel and
his wife Evelyn Hazel - and their
daughters Caroline M. Hazel,
Elizabeth W. Hazel and Suther, C.
Hazel and Mary and Sethfield, Hazel
Children of Jaynes P. Hazel deceased
are all hereby declared to be entitled
to all the rights and privileges of citizens
by blood of the Choctaw Nation,
Sec 2 Be it further enacted that this
act shall take effect and be in
force from and after its passage.

John Williams
Chairman Committee on Petitions
for Citizenship.
Approved Nov 5 - 1883,
J. F. McClinton
P. C. C. C.

I hereby certify that the foregoing transcript
is true and correct copy from the Ori-
ginal This 6th Nov 1883.

Thompson McKinney
National Secretary
Choctaw Nation

Exhibits "A"

Jonothan Hazel a citizen of the Choctaw Nation have this day made application for license to marry Evaline Irwin a citizen of the United States being satisfied that the said Jonothan Hazel having complied with the law of the Choctaw Nation, I do hereby grant the same this January 12 1876. G.W.Thompson County and Probate Judge Blue County C.W.

MARRIAGE CERTIFICATE

Jonothan Hazel to Evaline Irwin; To whom it may concern, This is to certify that on this the 12th day of January 1876, in accordance with the laws of God and of the Choctaw Nation, I united in holy matrimony Jonothan Hazel and Evaline Irwin. M.E.Pearson, Minister of the M.E. Church South.

Witness T.J.Carter, Fernelia Lindsay.

EXHIBIT ~~43~~ "B"

United States of America
Indian Territory
Southern District.

Before me the undersigned authority, this day personally appeared,
Benjamin Freeny, who being by me duly sworn according to law says;
My name is Benjamin Freeny, I am ____ years of age, I reside in the
Chickasaw Nation Indian Territory, my post office is Purcell, Ind. Ter.
I am well and personally acquainted with Jonathan Hazel, his wife
Evaline H. Hazel and their children Carrie Hazel, Elizabeth Hazel, Arthur
O. Hazel, Alberta E. Hazel, Laura I. Hazel, and George J. Hazel, they all
reside in the Chickasaw Nation Indian Territory, and are recognized
as members of the Choctaw tribe of Indians. I have known Jonathan Hazel
and his said wife ever since they were married, her maiden name was
Evaline H. Irwin. Jonathan Hazel and his family were adopted by an act
of the Choctaw Legislature as members of the Choctaw tribe of India
and ever since the adoption of them they have been recognized as member
of said tribe, and he and his said children have shared in the dis-
tribution of the funds of the Choctaw Nation. Jonathan Hazel and his
wife were married in the Choctaw Nation in accordance with the laws
and customs of said Nation, relative to the members of said tribe
intermarrying with citizens of the United States, and has ever since
lived with her as his said wife, and there has been born to them in
lawful wedlock the above named children, all of whom are now living
and residing with the said parents as aforesaid. I am a citizen of
the Chickasaw Nation and a member of the Choctaw Indians by blood, and
am a competent witness to testify to citizenship matters before the
tribal Courts of the Choctaw Nation, Witness my hand this the 29th day
of August A.D. 1896.

Subscribed and sworn to by Benjamin Freeny before me this the 29th day
of August A.D. 1896.

David Carter
Notary Public in and for the
Southern District of the Indian
Territory.

United States of America
Indian Territory
Southern District.

Before me the undersigned authority, this day personally appeared,

Mrs. Susan Mays, who being by me duly sworn according to law says ;

My name is Susan Mays, I am 22 years of age, my post office is Purcell, Ind. Ter. I reside in the Southern District of the Indian Territory, and have resided here for years. I am well and personall acquainted with Jonothan Hazel, his wife Evaline H. Hazel, and their children Carrie M. Hazel, Elizabeth W. Hazel, Arthur O. Hazel, Alberta E. Hazel, Laura I. Hazel, and George J. Hazel, they all reside in the Chickasaw Nation, Indi n Territory. and are recognized members of the Choctaw tribe of Indians. I have known Jonothan Hazel and said wife ~~xxxx~~ years, her maiden name was Evaline H. Irwin. Jonothan Hazel wife and children were adopted by an act of the Choctaw Legialature as members ~~ad~~ of the Choctaw tribe of Indians, and ever since the adoption of them they have been recognized as members of said tribe of Indians, and he and his children have shared in the distribution of the funds of the Choctaw Nation. Jonothan Hazel and his said wife were married in the Choctaw Nation according to the laws and customs then prevailing in said Nation relative to the members of said tribe intermarrying with citizens of the United States, and has ever since lived with her as hi his said wife, and there has been d born to them in lawful wedlock the above named children, all of whom are now living and residing in the with their said parents as aforesaid. I am a citizen of the Chickasaw Nation and a members of the Chickasaw tribe of Indians, and am a competent witness to testify to citizenship matters before the tribal courts of the Chickasaw Nation. Witness my hand this the 2nd day of September ~~August~~ A.D. 1896.

Subscribed and sworn to by Susan E. Mays before me this the 2 day of September ~~August~~ A.D. 1896.

Dorrit Carter
Notary Public in and for the
Southern District of the Indian
Territory.

No.

—CLAIM OF—

Jonathan Hazel et al
FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct 4, 1896.

H. H. Foranway
Secy.

STUART, GORDON & HAILEY, Attorneys.

Jonathan Hazel et al.

Now comes the Choctaw Nation by its lawful attorneys and says:

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

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The Choctaw Nation
By Stuart Gordon & Haily
Its Attorneys.

United States of America
Indian Territory
Southern District.

Before the Honorable Commission
to the five civilized tribes in
the Indian Territory.

In the matter of the enrollment of Jonathan Hazel, Evaline H. Hazel,
Carrie M. Hazel, Lizzie W. Hazel, Arthur O. Hazel, Alberta H. Hazel, ~~James~~
I. Hazel, and George J. Hazel, as members and citizens of the Choctaw
tribe of Indians.

-: APPLICATION :-

The aforesaid applicants hereby make application to your Honorable
Commission to be enrolled as members and citizens of the Choctaw tribe
of Indians, and state.

1st;

That on the 8th day of November A.D. 1883, by an act of the Choctaw
Legislature then in session, Mrs. Caroline M. Hazel and her children
Jonathan Hazel, and his wife Evaline Hazel, and their daughter Caroline
M. Hazel, Elizabeth W. Hazel, and Arthur O. Hazel too, were adopted as
citizens of the Choctaw Nation and members of the Choctaw tribe of
Indians with privileges and rights as members of said tribe by blood.

a certified copy of said act is hereto attached, marked exhibit "A"
and made a part of this application. That the said Jonathan Hazel, his
wife and the said children Caroline M. Hazel, Elizabeth W. Hazel, and
Arthur O. Hazel ^{Martha E. Hazel, James E. Hazel, George J. Hazel} are duly recognized and enrolled members and citizens
of said tribe and they have enjoyed all rights and privileges as other
members of said tribe. That the said Alberta H. Hazel, ^{Laura J.} ~~James J.~~ Hazel and
George J. Hazel have been born since the adoption of their parents, sis-
ters and brother as members of said tribe. That the said Jonathan Hazel
is a ~~white~~ Choctaw Indian by blood. That Jonathan Hazel and Evaline H.
Hazel, nee Irwin, were married in the Choctaw Nation on the ___ day of
_____ 187___, in accordance with the laws and customs then prevail-
ing in said Nation and Territory, relative ~~to~~ to the members of the said
tribe intermarrying with citizens of the United States, a true copy of
the marriage certificate and license, under which the said ceremony was
performed is hereto attached marked exhibit "B" and made a part of this
application. That there has been born to the said Jonathan Hazel and
Evaline H. Hazel, in lawful wedlock the following named children to-wit,
Carrie M. Hazel a girl aged 10 years, Elizabeth W. Hazel a girl 17 years

(2)

of age, Arthur O. Hazel a boy 15 years of age, Alberta E. Hazel a ^{girl} ~~boy~~
13 years of age, ^{Lamar} ~~Emma~~ I. Hazel a ^{boy} ~~girl~~ 11 years of age, and George J.
Hazel a boy 6 years of age. Wherefore premises considered applicants
pray that they together with their said minor children be enrolled as
members and citizens of said tribe of Choctaw Indians, with rights and
privileges as members of said tribe by blood,

I, Jonathan Hazel, do solemnly swear that I am one of the
applicants in the ~~s~~ above and foregoing application, and that I have
read the same and know the contents thereof, and that the facts therein
stated are true. Witness my hand this the 1st day of ^{September} ~~August~~ A.D. 1898.

Subscribed and sworn to by Jonathan Hazel before me this
the 1st day of ^{September} ~~August~~ A.D. 1898.

Donat Carter
Notary Public in and for the
Southern District of the India
Territory.

End

1896 Choc 1340

1896 Choc 1340

Application
for
Enrollment

Filed Sept 9th 1896

26 H. M. Jacobson

Handwritten signature: *W. H. [illegible]*

Chickston
J.T.

Amity & brotherhood as international
and universal principles

SOUTH MAALMUTER, INDIAN TERRITORY

September 7th, 1896.

RECEIVED this day of Ernest Carter, the following papers, purport-
ing to be the papers in the claim of J. C. Henderson
et al., in their application for citizenship to the Choctaw Nation or
Tribe of Indians, as follows:

Application for Enrollment.

Affidavits of _____

and exhibits thereto attached, marked A and B

Stuart Gordon Hayley
Attorneys for the Choctaw Nation

~~XXXXX~~ APPLICATION FOR ENROLLMENT.

BEFORE THE UNITED STATES COMMISSIONERS TO THE FIVE CIVILIZED TRIBES

J.C.Henderson)
vs.)
Choctaw Nation)

To the above mentioned Honorable Commissioners :

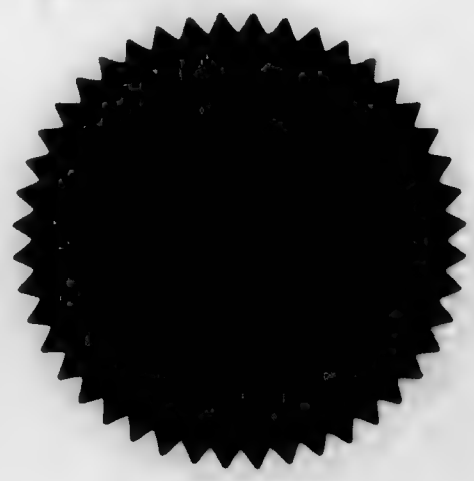
Now comes your petitioner J.C.~~XXXXXX~~ Henderson and makes application for enrollment as a Choctaw Indian of the Indian Territory, and says that he is an intermarried citizen of the Choctaw tribe of Indians that he was married to Emily Martin a Choctaw Indian by blood, on the 17-day of Oct. 1878, that he was married according to the laws of the Choctaw Nation and in the Choctaw Nation a certified copy of said licence and the returns thereon is here to attached and made a part here of; that since the marriage of petitioner and Emily Martin they have resided in the Ind. Ter. and have conformed to the laws of the Territory, and the laws of the Choctaw Nation; that his wife is a Choctaw Indian by blood and she and her children by petitioner have shared in all the rights privileges and annuities of Choctaw Indians, that petitioners wife and children have shared in and drew their prorata share of the land and lease money paid the Choctaw Indians by the U.S. Government, in 1893 and have at all times and are now recognized as Choctaw Indians. Petitioner further states that under the laws, usage and custom of the said Choctaw Indians and the laws of the U.S. and the treaties with said Indians in the I.T. and the rights guaranteed to the intermarried citizens thereunder your petitioner is intitled to all the rights privileges and annuities of Choctaw Indian by blood; ~~That the wife of your petitioner~~ That the wife of your petitioner is a Choctaw Indian by blood and is upon the roll of Choctaw Indians as is also the children of your petitioner and his wife to wit: ~~Mollie~~ Mollie Henderson, Rosa Henderson, Ashley Henderson, and Floyed Henderson. And your petitioner prays that he may be placed on the the accredited roll of the Choctaw Tribe of Indians to gather with his wife and children hereto fore named to wit: Mollie, Rosa, Ashley, and Floyed Henderson, and so will ever pary.

J.C. Henderson

Before me a Notary Public in and for the Southern Judicial District of the Ind. Ter. on this day personally appeared J.C.Henderson known to me to be the party signing the foregoing petition and after being first duly sworn deposed and said that the facts ~~stated~~ set out in the foregoing petition is true and correct.

J.W. Spencer
Notary Public.

Witness my hand and seal this 25th day of Aug 1899



— GUY KEF
CLERK OF PICKENS CO. WY.
CHICKASAW NATION

Office of National Secretary
Choctaw Nation.

This is to certify that the names of Mrs. Emma
Henderson and her children Mollie Henderson,
Rosa Henderson, Ashley Henderson & Floyd
Henderson are registered as citizens
of the Choctaw Nation in the record book
kept for the registration of citizens of this
Nation. I further certify that I am
the custodian of said Record Book
and that it is on file in my office.

Witness my hand & seal this 19th day
of Aug. 1896.

J. B. Jackson
National Secretary
Choctaw Nation

Original
No. 2737
J. H. Hendon
per
Charles Lindbergh

Application
for
Enrollment

Filed Sept 19th 1896
J. H. Hendon
per
J. H. Hendon
at
Chicago
J. H.

Admitted Hendon son as interested
and his wife and children as well

No.

—CLAIM OF—

J. B. Henderson

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 9, 1896

H. H. J. J. J. J.

STUART, GORDON & HAILEY, Attorneys.

J. B. Henderson

Now comes the Choctaw Nation by its lawful attorneys and says:

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

[illegible][illegible]

J. C. Hadden, 1949

The Bhootan nation
By Stuart Gordon & Hailey
Its Attorneys.

End

1896 Choc 1341

1896 Choc 1341

So. McAlester, 1.7.Sept.7th.1896 .

Received this day papers purporting to be copies in the
claim of Mrs. Mollie Hybarger et al; for citizen ship in the
Choctaw Nation before the Dawes Commission as follows;

Application of Mrs Mollie Hybarger;

Affidavit Harriet Burnett;

Affidavit Isaac Folsom;

Certified copy marriage certificate J.C.Hybarger and
Mollie Boswell;

Affidavit of A.S.Sampson;

Affidavit of Mrs Joanna Barr;

Stuart Gordon Wiley
Atty for Choctaw
Nation

APPLICATION FOR CITIZENSHIP.

United States Of America,

Indian Territory.

The Hon Henry L. Bawes ,Chairman Dawes Commission,Vinita,I.T.--

Your petitioner the undersigned ,Mrs.Molly Hybarger,for herself and her minor children,Eva Hybarger,Charlie Hybarger and Willie Hybarger being duly sworn states she is one-fourth *Chickasaw* Indian Blood and three-fourths White blood and her said children are one-eighth *Chickasaw* Indian and seven-eighths White blood. That she is the daughter of Ellen McGee a Choctaw Indian woman who was one-half *Chickasaw* Indian blood and one-half white blood and the husband of said Ellen McGee was William Boswell a white man That she was 24 years old the 31st.day of January 1896;That she is the mother of the following named minor children and they are the following ages respectively,-- Eva Hybarger,8years;Charlie Hybarger 3 years; Willie Hybarger 18 months; That she was lawfully married to James C. Hybarger a white man in Pickens County Chickasaw Nation on the 21st. day of September 1887 in accordance with the laws of the Choctaw Indians ; That she is still living with said J.C.Hybarger as his wife; That the above mentioned children are the issue of the said marriage and the Post Office address of your applicants is McGee,I.T.

Wherefore your applicant prays that she and her husband James C.Hybarger and her children Eva Hybarger,Charlie Hybarger and Willie Hybarger be enrolled as members of the Choctaw Tribe of Indians and they be adjudged citizens of said Choctaw Nation and entitled to all the rights and privileges pertaining to such citizenship.

Witness my hand this *28* day of August 1896.

Subscribed and sworn to before me the undersigned authority on this the *28* day of August 1896 and I certify that the above Molly Hybarger is a reputable and credible person and that I am not interested in the matter to which this application relates.
Witness my hand and seal of office on this *28* day of August 1896

Notary Public Southern District.

Southern District, Indian Territory.

AFFIDAVIT.

On this the 28 day of August 1896 before me the undersigned
Notary Public personally appeared Harriet Burnett to me well known
and after being duly sworn states that she is a Choctaw Citizen by blood;
That her name is Harriett Burnett Nee Harriett Folsom; That she
is 46 years of age and her Post Office address is Hart I.T. ; That she
knows Molly Hybarger Nee Molly Boswell; Has known her since she was a
baby; That she is $\frac{1}{4}$ ^{Choctaw} Indian blood and three fourths white blood; That
that she was personally acquainted with the Mother and Father of said
Molly Hybarger; that the said mother's name was Ellen Boswell Nee Ella
McGee and she was $\frac{1}{2}$ ^{Choctaw} Indian blood and one half white blood; That
William Boswell a white man was the father of said Molly Hybarger.

Witness my hand this the 28 day of August 1896. *Harriet Burnett*

Subscribed and sworn to before this the 28 day of August 1896
and I hereby certify affiant is a reputable and credible person.

James H. Miller
Notary Public, Southern District, Indian Territory.

BARTON & LOGSDON,
ATTORNEYS-AT-LAW.
P. O. BOX 222.

C. O. BARTON.
S. C. LOGSDON.

AFFIDAVIT, Southern District, Ind. Ter.

Isom Polson being by me duly sworn states that his age is 48 years and his Post Office address is Center, I.T.; That he is a Choctaw Indian Citizen; That he is personally acquainted with Molly Hysinger nee Molly Boswell; That She is $\frac{1}{4}$ Indian blood and three fourths white blood; That he has known her since she was a baby; That he knew her parents; That her mothers name was Ellen Boswell nee Ellen McGee and she was $\frac{1}{2}$ Indian blood and one-half white blood; That William Boswell a White man was the father of said Molly Hysinger.

Witness my hand this the 28 day of August 1896.

Franc. Holborn

Subscribed and sworn to before me this 28 day of August 1896

John Williamson

Notary Public Southern District. I.T.

Exhibit A.

April 14

Let it be remembered that the undersigned
on the 14th day of April 1876 at the City of
St. Louis, Missouri, in the presence of J. C.
Stybarger and others, did execute the within
written instrument, to be in full force and effect.

Given under my hand and the seal of
my office at St. Louis, Missouri,
this 14th day of April 1876.

Attest: J. C. Stybarger
Notary Public for
the State of Missouri.

I, the undersigned, do hereby certify that
the within instrument is a true and correct
copy of the original, as the same appears
from the records of the County of St. Louis,
Missouri.

Southern District,
Indian Territory }
I hereby certify that above & foregoing,
is a true & perfect copy of the
Marriage Certificate of J. C. Stybarger
& Mollie Stybarger this day
witnessed by said J. C. Stybarger
Witness my hand & Notary
at this 2nd day of April 1876
C. O. Barlow
Notary Public

Southern Judicial District, I.T.

Exhibit 1

AFFIDAVIT.

On this day personally appeared before me Dr. A.S. Sampson who being by me duly sworn states that he knows Mrs. Molly Hybarger, wife of James C. Hybarger living near McGee, I.T. ; That he knows Charlie and Willie Hybarger; That he knows they are the children of said Mrs. Molly Hybarger; That he was present at their birth as their Mothers Accoucheur.

Witness my hand this the ²⁷ day of August 1896.

A. S. Sampson

Subscribed and sworn to before me this ²⁷ day of August 1896

and I hereby ~~do~~ certify that Dr. A.S. Sampson is a reputable and credible physician .

William G. Moad

Notary Public , Southern District, I.T.

AFFIDAVIT

Exhibit D
Mrs. *John* Barr to me well known to
be a credible and reputable person on this day personally appeared be
fore me and being duly sworn states that her name is *John* Barr
That she is *62* years old; That her Post Office address is *John* I.T.
That she knows Eva Hybarger, That her Mother Mrs. Molly Hybarger; That
she knows said Eva is the child of said Mrs. Molly Hybarger; That she
was present at her birth in the capacity of mid-wife; That she was
born ~~XXXXXX~~ near *W. P. Ga* I.T. on the *8* day of *August* 18*88*.

Witness my hand this the *28* day of August 1896.

Frank Barr

Subscribed and sworn to before me this *28* day of August 1896.

Alvin S. Miller

Notary Public, Southern District I.T.

Application for
Choctaw
Enrollment
Hester Lee Kephart

Admitted of the tribe by
the Choctaw as citizens by
blood, and by marriage
as a citizen by blood
marriage

Calvin Kephart
Atty. for Choctaw
Hester Lee Kephart
H. Kephart

POOR ORIGINAL -
BEST AVAILABLE COPY

No.

—CLAIM OF—

Mrs. Mollie Hybarger
FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Oct 7, 1896.
H. H. Crawford
Per*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Mrs. Mollie Hybarger

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~that there is no evidence that this claim has been~~
~~disputed by the Choctaw Nation.~~

Mrs. Mollie Hybarger.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 Choc 1342

1896 Choc 1342

John T. Hayes Esq.

1349 7th

Chadron Station.

Applicant of
Thomas Weir

Capt.

"Ex. 8."

Filed Sept 9 1876

Respectfully

Sworn to and subscribed before
me this 1st day of Oct - 1876.
J. T. Hayes
Notary Public.

Indian Territory
Second Judicial Division

Before me J. L. Gregory a Notary Public in and for the Sec. Jud. Dist. of the Indian Terr., personally appeared Thomas Wain, who after being duly sworn makes the following statement: My name is Thomas Wain, I am 79 years of age and reside in Blue Co., Choctaw Nation. I am personally acquainted with many Lewis Darrough who is an applicant for citizenship in the Choctaw Nation Indian Territory. I was personally acquainted with said applicants' father Lewis Alfred Hayes, who lived in Mississippi, Leflore County; and I know him to be a Choctaw Indian by blood and that he was considered and recognized by his acquaintances in the community - where he lived as a $\frac{1}{4}$ Choctaw and $\frac{3}{4}$ white person. I also know Lewis Alfred Hayes' father, whose name was Billy Hayes, who also lived in Leflore Co. Mississippi, and who was known and recognized as a blood Choctaw Indian. His language and appearance indicate that

He was a Choctaw Indian. He spoke the Choctaw language and very broken English. I knew Lewis Alfred Hayes and Betty Hayes from about 1847 to 1864. I am also personally acquainted with Louis Fleming and John T. Hayes, who was also children of Lewis Alfred Hayes, and are applicants for citizenship in the Choctaw Nation under. I am not related in any way to said applicants and have no interest in the said claim of citizenship in said nation.

Thomas Warr
Sworn to and subscribed before me this 10th day of Oct- 1894.

J. A. Gregory
Notary Public.

John T. Hayes Esq.

1349
Choctaw Nation.

Alfred Hayes

Thomas Warr

Copy

"Ex. E."

7 and 8 Sept 1896

Repect

No.

—CLAIM OF—

John T. Nays et al.
FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED SEPT. 14 1896. ★
A. S. MCKENNON
COM' R.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

John J. Hays et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no proof that claimants have as much as 1/8 Choctaw Indian blood;

The Choctaw Nation
By *Stuart Gordon & Bailey*
Its Attorneys.

End

1896 Choc 1343

1896 Choc 1343

So. McAlester, I.T. Sept. 7th. 1896.

Received this day papers purporting to be copies in the
claim of William Hancock Hussey for citizenship in the Choctaw Nation
before the Dawes Commission as follows:

Genealogy of William Hancock Hussey;

Application of William Hancock Hussey;

Affidavit of C.O. Barton and certified copy of marriage
certificate;

Affidavit of D.C. Smith and W.W. Thompson;

Certified copy of marriage certificate Honorable William
Hancock and Miss Josephine Lilly;

Affidavit C.R. Bailey and J.S. Thompson;

Affidavit of C.R. Bailey and J.S. Thompson;

Certified copy of marriage certificate S.H. Hussey and
Miss W. B.J. Hancock;

Affidavit M.J. Lowng M.D.

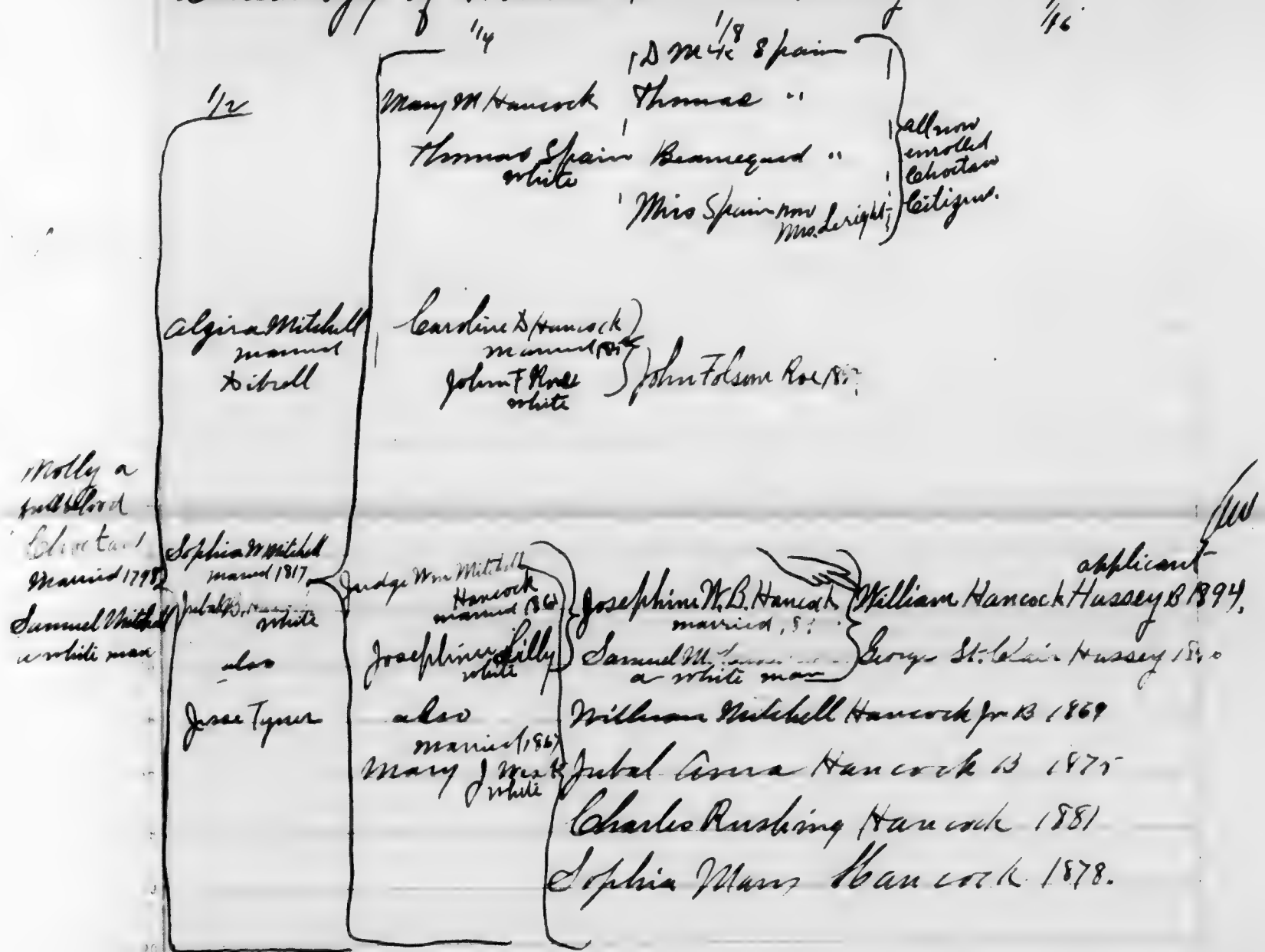
Affidavit David McKnight Spain;

Affidavit David McKnight and Thomas Spain;

Affidavit Josephine Willie Blanche Hussey;

Stuart Gordon Stanley
Atty. for Choctaw Nation

Genealogy of William Hancock Hussey.



Application for Citizenship
in the United States
of the
The Hon. Henry L. Dancer

Chairman of the Joint Commission
Your petitioner the undersigned, being a full blood
Choctaw woman and Samuel Mitchell a white man,
that his great grandmother Sophia Mitchell
was recognized in the treaty of Dancing Rabbit Creek
in Miss. with the Choctaw Indians as the daughter
of Molly and Samuel Mitchell. Sec 7 Statute
of U. S. by Little & Brown endorsed by act of Cong.
gress. Dec 2. Approved Aug. 5, 1846.

Your applicant Willie Hancock citizen of the State of Louisiana respectfully applies for the rights and priv-
ileges of citizenship in the Choctaw Indian Nation, and respectfully
states that his name be entitled as a citizen of said Choctaw
Tribe.

Your applicant further states that he is a great grand son of Sam-
uel Mitchell, a full blood Choctaw, and William full blood Choctaw
the old Choctaw Res. Miss about the year 1798.
+ that he is a great grand son of S. L. Hancock, full blood
white man, and Josephine Lilly, daughter of W. M. Hancock
and Josephine Lilly, a full blood white woman, who were
only and legally married on the 16th day of Dec. 1861, in the Parish
of Orleans and State of Louisiana, as shown by their marriage cer-
tificate marked Exhibit " " and made a part of this application. That he is a grand son of Wm.
Hancock and Josephine Lilly, a full blood white woman, who were
only and legally married on the 16th day of Dec. 1861, in the Parish
of Orleans and State of Louisiana, as shown by their marriage cer-
tificate marked Exhibit " " and made a part of this application, &
that from this marriage of the said Wm. Hancock to Josephine Lil-
ly as aforesaid, there resulted issue as follows, to-wit:- a daughter
named Josephine Willie Blanch Hancock, now Mrs. S. M. Mussey, and that

after reaching proper age, to-wit- on the 15 day of Nov A.D. 1872
also, the said Josephine W. B. Hancock, was duly and legally wedded to
S. M. Hickey, in the County of Lauderdale and State of Mississippi,
as shown by their marriage certificate marked Exhibit "E" and made
a part of this application; that from this marriage there resulted
issue to-wit- a son, who is your applicant, born on to-wit, the day
of 26th day of Sept A.D. 1894, in the County of Lauderdale and State of
Mississippi, as shown by his certificate of birth hereto attached
marked "x." "F" and made a part of this application.

Applicant further states that he was born in the County of
Lauderdale, State of Miss., on 26th day of Sept 1894 and that he is
of mixed descent, having one 1/8th of Choctaw and 7/8th of
white blood, and that he has never heretofore made application for
the rights and privileges of citizenship in the Choctaw Nation.

Applicant further states, that his great great grandfather the
said Mrs. Sophia T. H. Hancock, nee Miss Sophia Mitchell, was
a citizen of the said Choctaw Indian Nation; that she was enrolled
as such and lived in said Choctaw Indian Nation for many years
before her death, which took place on the day of A.D. 1867
in the Chickasaw Nation near Ft. Tishomingo

Applicant further states that he can prove if permitted to do
so the facts herein contained, to be true as stated in this his ap-
plication, by the hereto attached affidavits marked Exhibits "A"
to "D" and which he desires to make a part of this application.

William H. Canfield, Clerk
His Mother
Josephine Willie Branch Hickey
Christy Hickey
I, Josephine Willie Branch Hickey,
State of Mississippi,
County of Rankin,
City of New Orleans,
personally appeared before me, Charles H. Hickey, Clerk of
the Rankin County, Mississippi, and being duly sworn, she
states that the facts contained in the foregoing application
are true as stated and acknowledges that she signed said applica-
tion.
Sworn to and subscribed this
the 21 day of Aug, A.D. 1896
Charles H. Hickey
His Mother
Josephine Willie Branch Hickey

C O BARTON
B C LEBSON

Chadwick

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C. H. Barnard
 100-48441
 C. H. Barnard

Cos. Barnard

POOR ORIGINAL -
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Application
for
Choctaw
Enrollment &c.
William Hancock
Hussey.

C. O. Barton,
Atty. for Applicant,
Pauls Valley
Okla.

State of Mississippi)
)
County of Lauderdale)

Personally appeared before me W. D. Cameron,
Clerk of the Circuit Court of said county and State---*D. C. Smith*---
and *W. D. Thompson* personally known to me as credible persons who
state on oath that the following facts are true to the best of their
knowledge and belief to wit;--That Mrs Caroline D. Roe, nee Miss Caroline
D. Hancock, and Judge William M. Hancock, were the children born in lawful
wedlock of their alleged parents, Jubal B. Hancock, and Sophia Mitchell
and that they were so regarded in the communities where ever they
have lived, and that by reason of their birth that they are of mixed
descent having three (3/4) fourths white and one (1/4) fourth Indian

blood.

Signed and acknowledged)

in triplicate from this)

the *27* day of August)

1896.)

W. D. Thompson Clerk.)

D. C. Smith
W. D. Thompson

STATE OF LOUISIANA,
PARISH OF ORLEANS.

Be it remembered, That by virtue of a marriage license
issued by Arthur Chandler, Third Justice of the Peace,
and for the purpose aforesaid, I joined in the ceremony
at New Orleans, in the City of New Orleans,

Hon. W. H. Hancock

and

Miss Josephine Lilly

this 14th day of December, A. D. 1901.

In testimony whereof I have hereunto signed my name,
together with the parties and witnesses to said marriage,
in duplicate acts, this day and year above mentioned.

	(Signed: W. H. Hancock
Parties	(
Witness: R. A. Chandler)	(" Josephine Lilly
" ")	
C. S. Hedges)	
Witness: C. S. Hedges, Rector of St Luke's Church, N. O.	

The above is a true copy of the original cer-
tificate of marriage of the above mentioned parties,
now in my possession as Minister in charge of Trin-
ity Chapel, built on the spot of St Luke's Church
at New Orleans } as above, which was burned down and rebuilt under
 the name of Trinity Chapel, New Orleans.

New Orleans, La.,

W. H. Hancock
Rector of Trinity Chapel
New Orleans, La.

A true copy from the original now on file in Trinity Chapel,
New Orleans, La.

Signed and Sealed:

W. H. Hancock
United States Commissioner of
the Circuit Court for Eastern
District of Louisiana.

Triplicate.

1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.

A female, born on the 19th day of May 1867, in Quitman County of Clark and State of Mississippi whose name is Jane Ellen White and Hancock, now Mrs. J. M. Russell, her place of residence at present is New Orleans, Louisiana.

Declarants further state that Josephine Hancock, nee 1867, of
Hill, the wife of W.M. Hancock, now deceased, died
this life or to-wit: the 13th day of August, 1896, in County of
Clarke and State of Mississippi, and that afterwards, to-wit:-
on the 3rd day of December, 1897, in the County of Clarke and
State of Mississippi, the said W.M. Hancock was duly and le-
gally married to one Miss Mary Jane West, and that from this
marriage of the said W.M. Hancock and his wife Mary Jane West
also aforesaid, there resulted issue as follows, to-wit:- Wm. M. and
Hancock Jr., born in Quitman, Clarke County, Mississippi, on the
13th day of June, 1899; Jewel Avera Hancock, born in Quitman,
Clarke County, Mississippi, on the 26th day of June, 1895;
Charlesushing Hancock, born in Quitman, Clarke County, Mis-
issippi, on the 27th day of May, 1891, said parties being heirs
of the said Wm.M. Hancock, and his wife Mary Jane West aforesaid
and a daughter named Sophia Mary Hancock, born in Quitman,

(2)

Clarke County, Mississippi, on to-wit:- January 7th, 1878 and
that their present post office address is Meridian, Lauderdale
County, Mississippi.

Shown to and subscribed before me
this 16th day of August, A.D. 1891.

L. H. Thompson
Clerk

C. H. Bailey
L. H. Thompson

Clarke County, Mississippi,

Clarke County.

Personally appeared before me, C. C. Powell, Clerk of
the Court, James B. McDonald, of Clarke County, and State of Mississippi,

B. McDonald

who after being duly sworn

deposed and testified that he knows the above named persons
and that they are in every sense credible witnesses in
the above behalf.

Shown and subscribed to this
in triplicate form
this 15th day of Aug. 1891.

L. H. Thompson
Clerk.

B. McDonald
Circuit Clerk

STATE OF MISSISSIPPI,
County of Clarke.

Personally appeared before me, C. C. Ferrell, Clerk of
the Chancery Court of said County and State *C. R. Bailey* and
J. S. Thompson personally known to me as credible persons who
say upon oath that they were personally acquainted with Mrs. Josaphine L. Hancock, nee Miss Josaphine Lilly, now deceased, and that she
was the legally wedded wife of Wm. M. Hancock, now deceased, and that
from this marriage there resulted issue, to-wit:- A daughter
named Josaphine W. B. Hancock, who is now Mrs. S. M. Hussey.

Sworn and subscribed to this
the 15 day of August, A. D. 1896.

C. C. Ferrell
Clerk

C. R. Bailey
J. S. Thompson

STATE OF MISSISSIPPI, :
County of Lauderdale. :

To my Judge, Minister, Justice, or
any other person lawfully authorized to celebrate the rites
of matrimony:- You are hereby licensed to celebrate the
rites of matrimony between Mr. Samuel McCron Mussey and
Miss. W. E. J. Hancock, and for so doing, this shall be your
warrant.

Given under my hand and official seal this the 15th
day of November in the year of our Lord, 1892.

W. D. Cameron, Clerk,

By W. H. McElroy, D.C.

STATE OF MISSISSIPPI, :
County of Lauderdale. :

By virtue of a license from the Clerk
of the Circuit Court of said county, of Lauderdale, I have
this day celebrated the rites of matrimony between Mr. Samuel
McRon Mussey and Miss. W. E. J. Hancock.

Given under my hand this 15th day of November, A.D., 1892.

W. E. Keller, M.C. (Seal)

STATE OF MISSISSIPPI, :
County of Lauderdale. :

I, W. D. Cameron, Clerk of the Circuit Court
in and for said county and State, do hereby certify that
the fore-going is a true copy of a marriage license as shown
by the records of this office, issued to Sam. McCron Mussey
and Miss. W. E. J. Hancock on the 15th day of November, 1892, and
that the said license were duly recorded by me on the same date.

*Given under my hand
& Seal of Office
Aug 22 1896*

W. D. Cameron
Clerk.

Subscribed &

STATE OF MISSISSIPPI,
HARRISDALE COUNTY.

Personally appeared before me, W. D. Cameron, Clerk of
the Circuit Court, Doctor M. J. Lowry, who states on oath that he was
the attending physician upon Mrs. Josephine W. B. Bussey at the time
she gave birth to her son William Hancock Bussey on the 26th day
of September, 1894, and that he is the son of his respectively al-
leged parents.

M. J. Lowry M.D.
Signed and acknowledged in duplicate on this 21st
day of August, A. D., 1896.

W. D. Cameron
Clerk Circuit Court

C O BARTON.
E C LOGSDON

This was furnished by Mr. [redacted] who is David McKnight Spain, Sr.
after whom the book states that his wife lived married to White
for many years. That he is the nephew of Judge William H. Hancock and
Mr. Joseph H. Hancock told her husband that they were the sons
of the sister of McKnight's first wife. Other persons named Spain who
lived near Hancock. That her father Judge William H. Hancock, Jr., once
lived at the same place as did Mrs. Anna Spain. The Miss Mary
Hancock was the daughter of Sophia Mitchell and Daniel H.
Hancock for many years before she died.

David Mc Knight Spain

.....Cobalion.....

Wm. J. Mahoney, South R. District, I.T.

BARTON & LOGSDON,
ATTORNEYS-AT-LAW,
P. O. BOX 267.

C. O. BARTON
B. C. LOGSDON

AFFIDAVIT

Chickasaw Nation, I.T.

I, David McKnight, do hereby certify that I have been light skin and have been to a personally well known and known and have been white skin, Chickasaw Nation, I.T. . . . we are citizens of the Choctaw tribe of Indians duly enrolled and have our citizenship by virtue of said citizenship, having been admitted to citizenship by the act of the General Council of the Choctaw Nation, by bill No. 10, 1907, which act to confer citizenship upon any Indian and citizen which was a law of the Choctaw Nation, Oct. 1st, 1907. . . . Mrs. Sarah Hancock was the daughter of General Mitchell and I claim a full blood Choctaw blood. She was of Choctaw blood being one-half Indian and one-half white blood. She was enrolled and drew her rations as a Choctaw citizen. She was our grandmother, being the mother of our father, Mr. J. H. Spain formerly Mrs. Mary J. Hancock. He took our citizenship in said Choctaw Nation by virtue of his relationship to said Mrs. Sarah Hancock afterwards Mrs. Sophie Tyner. Mrs. Tyner was Miss Sophie Mitchell about the year 1907 also from Ft. Washita I.T. . . . I have no interest in the claims of citizenship of the heirs of Mrs. Carolina and Mr. John William Hancock.

Subscribed and sworn to before me this 21st day of August 1908.

David McKnight

Chickasaw Nation, I.T.

Subscribed and sworn to before me this 21st day of August 1908.

C. O. Barton

Notary Public Southern District I.T.

Affidavit; We *Jack Gardner* and *Emma Fisher* Choctaw citizens of Chickasaw hereby certify that David McKnight, light skin and Thomas Spain are reputable and genuine Choctaw citizens of high standing and character.

Jack Gardner

Emma Fisher formerly *Emma Fisher* formerly *Emma Fisher*

Subscribed and sworn to before me this 21st day of August 1908.

C. O. Barton

Notary Public Southern District, I.T.

POOR ORIGINAL -
BEST AVAILABLE COPY

Louisiana
Parish of Orleans
City of New Orleans

Christina A. K. K. K.

Josephine Marie Blanche Kussery

June 1893

William Hancock Kussery

18th

Christina A. K. K.

Josephine Marie Blanche Kussery

Notary of

William Hancock Kussery

POOR ORIGINAL -
BEST AVAILABLE COPY

No.

—CLAIM OF—

Am. H. Hurray

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

H. W. Janaway
Deputy

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Wm. H. Hussey

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

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SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case shows that the applicant lives in the State of Louisiana, and has never lived in the Indian Territory, and shows no intention of making said Territory his home.

Wm. H. Hussey

By The Choctaw Nation
Shirash Gordon & Bailey
Its Attorneys.

End

1896 Choc 1344

1896 Choc 1344

COPY OF ORDER OF COURT.

UNITED STATES OF AMERICA.)
Indian Territory.) SS.
Southern District.)

IN THE UNITED STATES COURT, in the Indian Territory, Southern District
at a term thereof begun and held at Ardmore, and on 21st. day of Dec.
1897, Present and presiding the Honorable Hosea Townsend Judge of said
Court. The following order was made and entered on record.

J/ W. Hyden et al)
vs (NO. 141 -Judgment-
Choctaw Nation.)

This day this cause coming on to be heard upon the
proceedings, exhibits, proof, Master's report and the exceptions filed
by plaintiff; and it appearing that said report was filed on the 23rd.
day of June 1897, and no exceptions having been filed thereto by the
Choctaw Nation, ^{the} this Court is of the opinion that said report should be
confirmed, except as to the exceptions thereto by the plaintiffs, and
that said exceptions should be sustained; and the Court being fully
advised upon the whole case, doth order adjudge and decree that the ap-
plicants J. W. Hyden, Mrs. Mollie Hyden, George Hyden, Cleveland P Hyden,
Maud Hyden, Mollie Hyden, Mrs. Sallie Jackson, A. M. Jackson, Mrs. Nancy P.
Pruitt, Henry Pruitt, John Henry Pruitt, Evans A. Pruitt, Maud Irene
Pruitt, Maud Smith, Cecil Smith, Oscar Jackson, Willie Jackson, Al-
bert Jackson Bessie Jackson, D. M. Hyden, Mrs. Katie Hyden, Sallie Hyden,
Pearl Hyden, Sam Hyden, Garnett Hyden, Mrs. M. J. Hood, Elwood Hood,
Willie Hopes, Albert Evans Conley, James Conley, William Wesley Conley,
Eva Margaret Hyden, Martha Hyden, Georgia Hyden and Nancy D. Hyden,
each and all be admitted and enrolled as members of the Choctaw Tribe of
Indians and that they be admitted to all the rights, privileges and
immunities of Choctaw Indians.

It is further adjudged and decided that a copy of this judgment
be certified to the Dawes Commission by the Clerk of this court, and the
said Dawes Commission is hereby directed to place each and all of the
above named parties upon the Choctaw role to be made out by it as citi-
zens thereof.

(Signed) Hosea Townsend, Judge.

The above is a true copy from the Record of an Order made by
said Court on the 21st day of December A. D. 1897.

Witness my hand and official seal this 12th day of March, 1903.

Wm Campbell Clerk.

W B McCoy
Deputy

End

1896 Choc 1345

see Tishmingo Docket #37

1896 Choc 1345

137
1345-5

Mary Huffman
Hals

17

Choctaw Nation

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

Mary Huffman et als
No. 137 vs.
Choctaw NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of *Mary Huffman et als* to be enrolled as members of the ~~Chickasaw~~ *Choctaw* Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 30 day of Jan., 1897.

Joseph W. Phillips CLERK.

#137

No. 1345-D

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mary Huffman *EM*

VS.

Choctaw —

Nation.

Received and filed this

day of

189

Secretary.

REVISOR JOB PRINT FORT SMITH

FILED
FEB 22 1897
Joseph H. [unclear] Clerk.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of
Mary Shipman vs. *Choctaw* Nation, as follows:

Application & Evidence
Ans.
Certified Cpy. entries
& Judgment

WITNESS my hand and official seal at *Osage*
this the *22* day of *Feby* 1897
Joseph Phillips
Clerk

I received this Subpoena at _____ o'clock M. on the _____ day of _____
 1904, and served the same by reading it in the presence and hearing of
 _____ at _____ o'clock M. on the _____ day of _____
 1904, at _____
 _____ at _____ o'clock M. on the _____ day of _____
 1904, at _____
 _____ at _____ o'clock M. on the _____ day of _____
 1904, at _____

FEEs.

Services _____
 mileage, at 8 cents per mile, \$_____
 Traveler's expenses _____
 Total, \$_____

By _____ U. S. Marshal.
 Deputy.

CITIZENSHIP COURT,
FILED
MAY 87 1904
JAS. B. CASSADA, Clerk.
by _____ D. C.

SUBPŒNA.

5781b5m10-02

SUBPENA.

Choctaw and Chickasaw Citizenship Court,
INDIAN TERRITORY,

37

The President of the United States of America,

To

Greeting:

We command you, that all and singular business and excuses being laid aside, you, and each of you, appear and attend before the Judges of the Choctaw and Chickasaw Citizenship Court in the Indian Territory,

at a Court to be held at its Court Room, in the Indian Territory, on the 25 day of May, 1904,

at 9 o'clock a.m., to testify and give evidence in a certain cause pending in said Court, then and there to be tried, between Mary Hoffman et al, Plaintiff, and Chester & Chickasaw Nations, Defendant, on the part of

And this you, or any of you, are not to omit, upon the penalty upon you, and every one of you, of two hundred and fifty dollars.

Witness, the Honorable SPENCER B. ADAMS, Chief Judge, WALTER L. WEAVER and HENRY S. FOOTE, Associate Judges of said Court, and the Seal thereof, at Tugalo, Indian Territory, this 11 day of June, A. D. 1904.

By

Deputy.

Clerk.

MARSHAL'S RETURN.

I received this Subpœna at _____ o'clock _____ M. on the 23 day of May, 1904, and served the same by reading it in the presence and hearing of 7 H. West - at _____ o'clock _____ M. on the 23 day of May, 1904, at 5 M. or did not
at _____ o'clock _____ M. on the _____ day of _____, 190____, at _____
at _____ o'clock _____ M. on the _____ day of _____, 190____, at _____
at _____ o'clock _____ M. on the _____ day of _____, 190____, at _____
FEEES. not found in my
Services, and to be Desi- B. H. Colbert -
_____ miles, at 6 cents per mile, Cherokee station U. S. Marshal.
Total, \$ _____ By J. M. H., Deputy.

4372
No. 34
May 24 1904
U.S.
CITIZENSHIP COURT.
FILED
MAY 27 1904
JAS. B. CASSADA, Clerk.
BY _____ D. C.
SUBPœNA.
6781 (Rev. 10-02)

MARSHAL'S RETURN.

I received this Subpoena at _____ o'clock _____ M. on the _____ day of _____, 190____, and served the same by reading it in the presence and hearing of _____ at _____ o'clock _____ M. on the _____ day of _____, 190____, at _____ at _____ o'clock _____ M. on the _____ day of _____, 190____, at _____ at _____ o'clock _____ M. on the _____ day of _____, 190____, at _____

FEEES.

Services, _____ \$ _____

miles, at 6 cents per mile, \$ _____

Total, - - - \$ _____

By _____ U. S. Marshal.

Deputy.

No. 27

CITIZENSHIP COURT,
FILED
MAY 27 1904
MS. R. CASSADA, Clerk.

SUBPOENA.

SUBPENA.

Choctaw and Chickasaw Citizenship Court,
INDIAN TERRITORY,

Tishomingo

The President of the United States of America,

To

R. W. Dick

Greeting:

We command you, that all and singular business and excuses being laid aside, you, and each of you, appear and attend before the Judges of the Choctaw and Chickasaw Citizenship Court in the Indian Territory, at *Luther*, at a Court to be held at its Court Room, at *Tishomingo*, in the Indian Territory, on the *25* day of *May*, 190*4*, at *9* o'clock *a*.m., to testify and give evidence in a certain cause pending in said Court, then and there to be tried, between *Mary Huffman et al*, Plaintiff, and *Choctaw & Chickasaw Indians*, Defendant, on the part of *Plaintiff*.

And this you, or any of you, are not to omit, upon the penalty upon you, and every one of you, of two hundred and fifty dollars.

Witness, the Honorable SPENCER B. ADAMS, Chief Judge, WALTER L. WEAVER and HENRY S. FOOTE, Associate Judges of said Court, and the Seal thereof, at *Tishomingo*, Indian Territory, this *23* day of *May*, A. D. 190*4*.

James B. Cassen
Clerk.

By _____, Deputy.

MARSHAL'S RETURN.

I received this Subpcna at o'clock M. on the day of
....., 190..., and served the same by reading it in the presence and hearing of
at o'clock M. on the day of 190..., at
at o'clock M. on the day of 190..., at
at o'clock M. on the day of 190..., at
at o'clock M. on the day of 190..., at

FEES.

Services, \$ U. S. Marshal.
..... miles, at 6 cents per mile, \$
Total, - - \$ By Deputy.

No. 115

U.S.

CITIZENSHIP COURT,
FILED
MAY 27 1904
JAS. E. CASSADA, Clerk,
D. C.

SUBPCENA.

576155ml0-02

143
56

Original

No 37-5

SUMMONS

IN EQUITY.

Mrs Mary Huffman et
vs.

Choctaw and Chickasaw Nations.

Summons issued 21 day of
March, 1903. Returnable instant.

Marshal's Fees.

Service	- - -	\$
Miles	- - -	\$
Expenses	- - -	\$
TOTAL		\$

Thomas Merman
Attorneys for Plaintiff.

Mathers Dick & Brown

Adams
D.S.

SUMMONS.

United States of America,

Indian Territory,

Choctaw and Chickasaw Citizenship Court.

88

The President of the United States of America,

To the United States Marshal for the Indian Territory, Northern District,

GREETING:

You are hereby Commanded to Summons Green McCurtain, Principal Chief of the Choctaw Nation, to answer on behalf of said nation, in twenty days after the service of this summons upon him, as Principal Chief of said Nation a complaint in Equity filed against the Choctaw and Chickasaw nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at *Sishomings*, by *Mrs Mary Huffman et al* and warn him that upon his failure as said Principal Chief to answer on behalf of said nation, the complaint will be taken for confessed, and you will make return of the summons instant;

And you are further commanded to notify said Green McCurtain, Principal Chief aforesaid, that the papers, files and proceedings in the case of *Mrs Mary Huffman et al* File No. *137* in the District Court for the *Southern* District of the Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that the certificate of the clerk of said court for said *Southern* District, Indian Territory, has been attached thereto.

WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges, and the Seal thereof, at South McAlester, Indian Territory, aforesaid, this *21* day of March A. D., 1903.

Gas B. Bassard Clerk.
By *E. D. Bennett* Deputy.

MARSHAL'S RETURN.

United States of America,
Indian Territory,
DISTRICT.

I received this summons this 30 of March A. D., 1903,
at o'clock m. and served same by copy, as follows:
Personally on Green McCurtain, at Sans Bois Indian Territory,
This 30 day of March, 1903, m.

By R. W. Vance Deputy. L. E. Remick
U. S. Marshal

1413 Original No 37-5	SUMMONS IN EQUITY. Mrs Mary Huffman et al vs. Choctaw and Chickasaw Nations. Summons issued 21 day of March, 1903. Returnable instant.	Marshal's Fees. Service - - - \$ Miles - - - \$ Expenses - - - \$ TOTAL \$ Thomas Norman Attorney for Plaintiff. Mathers Dick & Brown Attorneys
-----------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------

End

1896 Choc 1346

1896 Choc 1346

No. 1346

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Jess N Humau Etal

VS.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

REDACTED JOB PRINT FORT SMITH

vs. Nation, as follows:

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some faint horizontal lines and a small dark smudge near the center. The right edge of the page is slightly irregular, suggesting it is part of a bound volume.

WITNESS my hand and official seal at MOBILE - 04148687

this the 11th day of July 1899

189

No 1346

Jess M. Human & Co

Choctaw Nation

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONE,
SOUTH McALESTER.
A. D. McCANS,
ANTLER.
O. R. EDWARDS,
ANTLER.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.
P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ANTLER:
Second Tuesday in November and First
Tuesday in March.
CAMERON:
First Tuesday in December and Second
Tuesday in May.
Second Tuesday in October and February.

South McAlester, Ind. T., Jan. 31st 1897

To the Honorable Dawes Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that Jesse McManis et al
has taken an appeal to this court from the decision rendered by you
on the application of Jesse McManis, Laura McManis, John
Mary J. McManis, Lawrence McManis, John McManis, Myrtle McManis, and
Neil, Arthur I. McManis, B. McManis, et al
vs The Choctaw Nation, for enrollment as a citizen of said Nation.

You will at the earliest time practicable, transmit to this
court a transcript of all the entries on your docket relating there-
to, together with the original papers, depositions and testimony and
therein and your decision on said application.

Yours very respectfully.

P. B. Stoner
Clerk.

End

1896 Choc 1347

1896 Choc 1347

Affidavits of testimony
in support of the
application of Miss
Hamilton and chil-
dren for citizen-
ship in the Choctaw
tribe of Indians in
the Indian Terri-
tory.

Affidavit of witness

At the latter of the petition and memorial of Susie Hamilton
in connection to citizenship of her Choctaw.....
in the territory.

State of Texas

County of

I, Charlotte Watson,
being of the age of, do hereby depose and say that she is 48 years of
age and a resident of Dallas, Texas. That she is married to er, who is
now in Sherman, Texas: that she is personally acquainted with
Susie Hamilton, who is of legal age and of
age, in the Choctaw blood of the, of the, who is
sitting in Dallas that Susie Hamilton is the daughter of Mary
Cynthia of Gilmore, a full blooded Choctaw Indian woman, who was the
daughter of full blooded Choctaw, of Gilmore, who moved
from Mississippi to Virginia a few years before said Mary Cynthia
was born. Said Mary Cynthia or Gilmore moved back to Texas about
about 1857, where said Susie Hamilton was born in 1867. Said Susie Hamilton
lived in Texas with her mother in 1880 and moved to Dallas
Texas. Said Susie Hamilton was married to Bill Pitts in 1885 and by
him had three children Ed. Billie and Willie, who are all living. Said
Pitts died and said Susie Hamilton married her present husband in 1896
Affiant further states that she has known said Susie Hamilton for the
past 20 years and knows that she has been and is recognized by her
neighbors, acquaintances and the public generally as having Indian
blood and that the complexion and physical appearance of the said Susie
Hamilton indicate that she is of Indian blood and descent. Affiant
further states that from the above facts and circumstances and from
what she has heard and knows of the family of the said Susie Hamilton
that she believes that the said Susie Hamilton is a descendant by blood

of the ~~Choctaw~~ Indian tribe and a lineal descendant of the said.....

Mary Chittumma (or Gilmore).....

by
Charlotte Statson.....
mark

Subscribed and sworn to before me this *7* day of September
1896.

M. S. Vinson.....
Notary Public in and for Grayson County
Texas.

My commission expires in June 1897.

Affidavit of witness

In the matter of the petition and memorial of Susie Hamilton
for admission to citizenship in the Choctaw.....Nation
Indian Territory.

State of Texas

County of Grayson.

Before me the undersigned Notary Public in and for
Grayson County, Texas, personally appeared J. P. Phiffer ,
who after being by me duly sworn states: that he is 24 years of
age and a resident of Grayson County, Texas and that his post-office
address is Sherman, Texas: that he is personally acquainted with
Susie Hamilton , who is an applicant for citi-
zenship in the Choctaw tribe of Indians in the Indian Territory. Affi-
davit further states that said Susie Hamilton is the daughter of Mary
Choctaw or Gilmore, a full blood Choctaw Indian woman, who was the
daughter of Rich Choctaw and Mary Choctaw or Gilmore, who moved
from Mississippi to Virginia a few years before said Mary Choctaw
was born. Said Mary Choctaw or Gilmore moved back to Mississippi
about 1867, where said Susie Hamilton was born in 1867. Said Susie Ham-
ilton moved to Texas with her mother in 1892 and settled in Grayson
County. Said Susie Hamilton was married to W. H. Pitts in 1896 and
had three children Ed. Lillie and Willie, who are all living. W. H. Pitts
died and said Susie Hamilton married W. H. Pitts again in 1906.
Affiant further states that he has known said Susie Hamilton for the
past 10 years and knows that she has been and is recognized by her
neighbors, acquaintances and the public generally as having Indian
blood and that the complexion and physical appearance of the said Su-
sie Hamilton indicate that she is of Indian blood and descent. Affiant
further states that from the above facts and circumstances and from
what he has heard and knows of the family of the said Susie Hamilton
that he believes that the said Susie Hamilton is a descendant by blood

of the Choctaw Indian tribe and a lineal descendant of the said.....

Mary Chatthumalar (or Gilmore) *J. T. Phiffer*
.....

Subscribed and sworn to before me this *7* day of September, A.D. 1896

A. H. Vinson
.....
Notary Public in and for Grayson County
Texas

My commission expires in June 1897

7010 1347

Application of
Danie Hamilton
and children
for citizenship
in the Choctaw
tribe of Indians
in the Indian
Territory-

FILED SEPT. 10 1896.
A. S. MCKENNON
COM'R

Repeted

(Original)

United States of America :::: Before the honorable Commissioners
Indian Territory. :::: to the Five civilized tribes of
Indians in the Indian Territory.

to the matter of the enrollment of Susie Hamilton, Ed Pitts, Lillie Pitts, and Willie Pitts, as members and citizens of the Choctaw tribe of Indians in the Indian Territory.

Applicant says that her mother was a full blood Choctaw Indian woman, who was the daughter of Mary Chokthuma and Dick Chokthuma or Gilmore, who moved from the state of Mississippi a few years before the said daughter Mary Chokthuma or Gilmore was born. That said Mary Chokthuma or Gilmore mother of applicant was born in about 1843 in Virginia and about the year 1857 moved back to Mississippi, where applicant was born. That applicant moved to the state of Texas about 1883 and married Eli Pitts by whom she had the above children Ed, Lillie and Willie. That said Mary Chokthuma or Gilmore, applicant's mother died ~~xxxxxxxxxxxxxxxx~~ in Dallas County, Texas in 1885, where she moved in 1883. That said Ed, Lillie and Willie Pitts are 12, 10 and 8 years of age respectively. That applicant Susie Hamilton married her present husband in February 1896, said Eli Pitts having died in 1893. That applicant is one half Choctaw and her children are 1/4 Choctaw.

Applicant further says that being the daughter of said Mary Chokthuma or Gilmore a full blood Choctaw Indian woman, she is entitled to citizenship and enrollment as a member of the Choctaw tribe of Indians in the Indian Territory, and for the other applicants her children she says that they are her lawfully begotten children and that they are one fourth Choctaw blood and are thus entitled to enrollment as members of said tribe of Indians.

Witness
William W. Vincent

Susie Hamilton
mark

State of Texas

County of Grayson

Before me the undersigned Notary Public on this day personally appeared Susie Hamilton, ~~xxx~~ known to me to be the person whose name is signed to the foregoing application for citizenship in the Choctaw tribe of Indians and being by me duly sworn states that the facts therein set out and contained in said application are true and correct.

Sept. 7 1896.

Witness my hand and official seal this
J. H. Minson
.....
Notary Public in and for Grayson
County, Texas.

NO.

CLAIM OF

ANSWER.

*True Oct 1 1880.
St. James
Calif.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Samuel Hamilton

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case service was not had on the Choctaw Nation until the 10th day of Sept. 1896.

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys

End

1896 choc 1348

1896 choc 1348

Before the court

Application of Mrs
Sallie A. Howell, a
white woman

Sallie A. Howell

vs
Chadman

No 3883

FILED SEP 1

1883, MO

COM

Admitted Sallie A. Howell
as an interested
citizen

Attest

J. C. ...
R. ...
Atty

So. McAlester, I. T.

Sept. 4th. 1896.

Received this day, papers purporting to be copies in the claim of _____
Mrs Lallie Howell for Choctaw Citizenship, as fol
lows; Petition; Affidavits of A. Telle
_____ ; Marriage License and Marriage Certificate.

Stuart Gordon Bailey
Atty for Choctaw Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs *Sallie A. Howell* Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

YOUR APPLICANT Mrs *Sallie A. Howell*, respectfully
represents to this Honorable Commission that she is a regularly recognized member of the Choctaw Tribe of Indians of the Choctaw Nation and is entitled to be placed upon the rolls, to be prepared by this Honorable Commission as a member of the Choctaw Tribe of Indians on the following grounds, to wit:

1st. There is no true and perfect roll of the members of the Choctaw Tribe of Indians and no law or authority for the Choctaws to make such a roll.

2nd. On the *31* day of *Oct* 18*88* your applicant was a white woman and a citizen of the United States and on said day was legally married to *Joseph H. Riley* a *3/4* Choctaw Indian, who was then and is now a regularly recognized member by blood, of the Choctaw Tribe of Indians, a copy of the marriage certificate is hereto attached and marked Exhibit "A," and made a part hereof.

That there was not then nor is there now, any law of the Choctaw Nation authorizing the issuing of a marriage license and it was and now is the established custom for Choctaw men to marry white women without a license from the Choctaw Nation and by such marriage white women become members of the Choctaw Tribe of Indians and are so recognized by the Choctaw authorities. *Joseph H. Riley died March 19th 1892 and on May 31-1893 your applicant was legally married to G. M. Howell*
Your applicant files herewith the affidavit of

as additional proof of the citizenship of said *Joseph H. Riley* and the custom among the Choctaws and asks to be placed upon the rolls as a member of the Choctaw Tribe of Indians.

Sallie A. Howell
Subscribed and sworn to before me this the *31st* day of *August* 1896

Josh Ralls
Notary Public for the Central District of the Indian Territory.

Exhibit "A"

C-E-R-T-I-F-I-C-A-T-E OF M-A-R-R-I-A-G-E:-

This certifies that Joseph H. Riley and Miss Sallie A. ~~Moore~~ Moore were by me united in marriage at Mission Home according to the Laws of the Chickasaw Nation on the 31st day of October, 1888.

J.J.Read,

Witnesses:-

Minister of the gospel.

Mrs. J.J. Read &

Mrs. U.B. Frazelle.

BEFORE THE COMMISSIONERS OF THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Sallie A. Howell Applicant for
and record of a member of the Choctaw Tribe of Indians

BE IT REMEMBERED That on this the *31st* day of *August* 1896,
personally appeared before me the undersigned authority *A. Telle*
A. Telle who having been by me first duly sworn according
to law states on his oath as follows:

I am *37* years old. I am a resident of *Stoke* county of the
Choctaw Nation and a recognized member of the Choctaw Tribe of Indians. I have known
Mrs. *Sallie A. Howell* *ten years* and her husband *former Joseph H. Riley* for *25* years.
her husband was a member, by blood, of the Choctaw Tribe of Indians and was such at the time he
married *her*. I knew his father and mother and they

were recognized members of the Choctaw Tribe of Indians. Mrs. *Sallie A. Howell*
has ever since her marriage been a recognized member of said
Tribe. *Joseph H. Riley died March 1892 and the applicant*
married C. H. Howell in May 1893
At the time of Mrs. *Sallie A. Howell's* marriage to *Joseph*
H. Riley

it was the custom among the Choctaws for Indian
men to marry white women without a license and license was not granted. That custom still
prevails and white women who marry Indian men become members of said Tribe.

A. Telle

Subscribed and sworn to before me this the *31st*
day of *August* 1896,
John R. Ralls

Notary Public for the Central District of the Indian Territory.

United States of America,)
INDIAN TERRITORY.) SS.
CENTRAL DISTRICT.)

..... having been by me
first duly sworn according to law states on his oath as follows
to-wit:

I am years old, I am not related to
..... nor interested in
..... claim. On the day of September
1896, I delivered to Hon. Jefferson Gardner, as Governor of the Choctaws,
at in the Choctaw Nation, a
true and perfect copy of the application of
..... together with a copy of the mar-
riage license, marriage certificate and affidavit of
..... all of which are hereto attached.

Subscribed and sworn to before me this the
day of September 1896.

Notary Public for the Central District of the Indian Territory

United States of America, Central
Judicial District of the Ind. Ter.

As the only appointed attorneys for Hon. Jefferson Gardner, Prin-
cipal Chief of the Choctaw Nation, and by the authority vested in us
by said Principal Chief, we hereby accept service of copies of all
papers hereto attached, this the ____ day of September, 1896.

Principal Chief of the Choctaw Na.

B. _____

Attorneys.

I. T.

Office of County and Probate Court.

THE CHOCTAW NATION.

To
Mrs Sallie Howell

Greeting:—

In the Probate Court of Atoka County, held on the first Monday of May, A.
D. 1896, at Atoka, I. T., the seat of justice of said county, you were appointed Guardian of the
person and estate of the Joanna Riley orphans of Joe Riley
deceased of said county.

Therefore you are empowered and required fully and faithfully to perform this trust, to ask, levy,
recover and receive all the estate, real and personal, of your said ward, to render to our said court inventory
thereof, as well as any and all annual or other accounts of the same, and to do all things connected with said
trust, according to law and the orders and decrees of said court therein.

In witness whereof I have set my hand and affixed the seal of the said county

office this 6th day May A. D., 189 6

Choctaw Nation, Atoka Co. I. T.

Sam Downing

I, Sam Downing, County & Probate County and Probate Clerk, Atoka County, C. N.

Correct copy of the order appointing Mrs. Sallie Howell guardian of her child
two minor children, Joanna & Joe Riley.
County, C. N.

Sam Downing
County Clerk
Atoka

No.....

—CLAIM OF—

Allie A. Howell

FOR CHOCTAW CITIZENSHIP.

ANSWER.

AND *A. S. I. K. H. W.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Allie J. Howell

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

ALSO DEFENDANT SAYS THAT THE CLAIMANT HEREIN HAS NOT APPLIED FOR CITIZENSHIP TO THE LEGALLY CONSTITUTED TRIBUNAL DESIGNATED BY THE CHOCTAW NATION FOR THE TRIAL OF QUESTIONS OF DISPUTED CITIZENSHIP.

Allie J. Howell.

The Choctaw Nation
By *Stuart, Gordon & Hailey*
Its Attorneys.

End

1896 Choc 1349

1896 Choc 1349

No. 1349

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

John F. Holt et al

VS.

Cho et al

Nation.

Received and filed this

day of

189

Secretary.

RECORDED FOR PRINT PORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of
vs. Choctaw Nation, as follows:

Application

Answer

Judgment

WITNESS my hand and official seal at South McAlester

this the 22nd. day of Feby.

1897

J. B. Stewart

No 1349
John Holt.
Choctaw Nation

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
G. R. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. H. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., *Feb 3* 1897.

To The Honorable Jaws Commission,

Fort Smith, Ark.

Sir:

You are hereby notified that The Choctaw Nation
has taken an appeal to this court from the decision rendered by you
on the application of John Noet.

vs The Choctaw Nation, for enrollment as a citizen of said nation.

You will at the earliest time practicable transmit to
this court a transcript of all the entries on your docket relating
thereto, together with the papers, depositions and testimony therein,
and your decision on said application.

Yours very respectfully.

P. H. Stoner
CLERK

End

1896 Choc 1350

~~missing~~

1896 Choc 1350

So. McAlester, I.T. Sept. 7th. 1896 a.

Received this day papers purporting to be copies in
the claim of James C. Hybarger for Choctaw citizenship before the
Dawes Commission as follows;

Application of James C. Hybarger;

Affidavit of Harriet Burnett;

Affidavit of Isaac Folsom;

Certified copy marriage certificate J.C. Hybarger and
Mollie Boswell;

Certified copy of certificate signed by Martin V. Cheadle

Wm. Gordon Hailey
Atty's for Choctaw Nation

APPLICATION FOR CITIZENSHIP.

United States of America, Indian Territory, ss.

THE HON. HENRY L. DAWES, CHAIRMAN DAWES COMMISSION, VINITA, I. T.

Your petitioner, the undersigned, being duly sworn on his oath, respectfully states that his name is James C. Hylarger, age 30 years, post office address is McLure, I. T., and that he is entitled by marriage to citizenship in the Indian Territory for the following reasons:

That on the 21st day of Sept 1887
he married Mollie Russell a
Choctaw Indian, and in accordance
with the Choctaw law -
That ever since his marriage he
has been recognized as a Choctaw
citizen by both the Choctaws, and
Chickasaws

That his family and relationship consists of the following named persons: My Wife,
Mollie Hylarger age 24 years, and 3 children, as follows:

Eva Hylarger age 8 years, Charles
Hylarger age 3 years, Willie
Hylarger age 18 months

And respectfully asks to be enrolled, together with each member of his family, as a member of
the Choctaw Indians in the Indian Territory.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the said Choctaw Nation, and prays that his claim may be investigated by your honorable body and that he be adjudged to be a citizen of said Choctaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties made with the said Nation of Indians.

WITNESS my hand, on this 19 day of Aug, 1896.

Witnesses:

J. C. Hylarger

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the 19 day of

Aug, 1896, and I certify that the J. C. Hylarger is a responsible and creditable person worthy of belief, and that I am not interested in the matter to which this application relates.

WITNESS my hand and seal of office on this 19 day of Aug, 1896.

J. M. Henry
Notary Public

Application
for
Electoral
Enrollment &c

James C. Rybarger.
et al.

Admitted as citizen
as a citizen by mar-
riage and his wife
& children as citizen
by blood

Wm. H. H. H.

Kalsell & Barton
Attys. for Applicant
Pauls Valley
D. T. 12

Exhibit 13

Southern District
Indian Territory }

On this 22nd day of Aug. 1896
before me the undersigned & a
duly commissioned Notary Public
in & for the Southern District Ind. Ter.
personally appeared Harriett
Burnett and after being duly
sworn upon oath states:

That her name is Harriett
Burnett and that she is forty
six years of age and her
post office address is Hart
Ind. That before her marriage
her name was Harriett Fulson
and that she is a Choctaw
Indian on her father's side
and a Chickasaw Indian on her
mother's side. That she

is personally acquainted with
J. C. Hyburger who in 1887
married Mollie Boswell a
Choctaw Indian, that she has
known said Mollie Boswell since
she was a baby -

That said J. C. Hyburger and
Mollie Hyburger who was Mollie
Boswell have three children

living as follows: Eva
Hybarger who is 8 years old, Charlie
Hybarger who is 3 years old and
Willie Hybarger who is 18 months
old. That said J. C.
Hybarger and his family
live two miles west of
McLure St.
Harriet Burnett

Subscribed & sworn to before
me this the 22^d day of Aug.
1896

John W. Millin
Notary Public

Application of
J. C. Hybarger

Affidavit

Application of
J. C. Hyberg

Affidavit

Subscribed & sworn to before
me this 22nd day of Aug.
1896

John W. McQuinn
Notary Public

Exhibit C

Southern District
Indian Territory }

Before me the undersigned
a duly commissioned Notary
Public in & for the Southern District
Indian Territory - on this 22
day of Aug. 1896 personally appeared
Isaac Tolson and after
being duly sworn upon oath states
That his name is Isaac
Tolson and that his age
is 48 years - and his post office
address is Center D.C.
and that he is a Choctaw
Indian on his father's side and a
Chickasaw Indian on his mother's
side - That I am personally
acquainted with J. C. Hybarger who
married in 1887 one Mollie Boswell
That I have known said Mollie
Boswell since she was a baby
That she is a Choctaw Indian
That said J. C. Hybarger and
Mollie Hybarger (who was Mollie Boswell)
have three children living
as follows, Eva, 2 years old
Charlie 3 years old and Willie

Hyberger who is 18 months old
That said J. C. Hyberger and
his family live two miles west
of McGee I.T.

Isaac Holborn
Subscribed & sworn to
before me this 22nd day of
Aug 1896

J. J. King
Notary Public

Application of
J. C. Hyberger

Affidavit

Application of
J. C. Hyblong

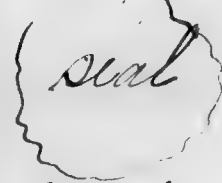
Affidavit

21 2

This is to certify that J. C. Hybarger is a member of the Choctaw tribe of Indians, by intermarriage with Mollie Fournell, a Choctaw woman, under the laws of this nation and he has been recognized as a citizen of the Choctaw Nation and entitled to all the rights and privileges and annuities thereof.

Witness my hand and the Great Seal of the Choctaw Nation, this, the 14th. day of February, A.D. 1892.

J. B. Jackson



National Secretary
Choctaw Nation.

Southern District, I.T.

I hereby certify the above is a true and perfect copy of the original Instrument of writing this day handed me for examination.

Witness my hand Notary Public this 28th day of August 1896

C. O. Bacon

Notary Public.

South District, I.T.

I, Martin V. Chaddle, National Secretary of the Chickasaw Nation, do hereby and hereon certify that on this day and date I have placed on record in my office the certificate of J. P. Jackson, National Secretary of the Choctaw Nation, which appears on the opposite side of this sheet of paper and that said certificate appears recorded in general record of law of the Chickasaw Nation on page 226. Given under my hand and Seal of Office this the 18th. day of February A.D. 1892.

Martin V. Chaddle
National Secretary of
Chickasaw Nation.

Southern District
Ind. La. I hereby certify that above is a true & perfect copy of the above Instrument of writing the original whereof was this day handed me for Examination Witness my hand & notarial Seal this 28th day of August 1892

C. O. Butler
Notary Public
Southern Dist.
D. C.

No.

—CLAIM OF—

Geo. C. Hybarger
FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Oct 7, 1896.
H. H. Coway
Secy.*

STUART, GORDON & HAILEY, Attorneys.

Jas. C. Hybarger

Now comes the Choctaw Nation by its lawful attorneys and says:

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

.....

By

The Choctaw Nation

By Stuart Gordon & Healey
Its Attorneys.

Its Attorneys

End

1896 Choc 1351

1896 Choc 1351

Affidavit of Witness.

STATE OF LOUISIANA,

County of _____

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Charles F. Burr, who after being by me duly sworn, states that he is _____ years of age and a citizen of St Landry Parish County and State of Louisiana, and that he is personally acquainted with Isaac Henry who is an applicant for citizenship in the Choctaw Nation, I. T., and affiant further states that the said Isaac Henry is the identical person he represents himself to be in his application for citizenship in said Nation and that the said Isaac Henry is a resident of St Landry Parish & has been on a year & that previously he resided in Acadian Parish. Affiant further states that said Isaac Henry is about 23 years old, that he has the feature of an Indian & speaks the Choctaw language.

Affiant further states that he has known the said Isaac Henry for the past 2 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Choctaw Indian blood, and that the complexion and the appearance of the said Isaac Henry indicates that the said Isaac Henry is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Isaac Henry affiant states that he has every reason to believe and does believe that the said Isaac Henry is of Choctaw Indian blood. Affiant further states that he has no interest whatever in the prosecution of the claim of the said Isaac Henry for citizenship in the Choctaw Nation, I. T.

Subscribed and sworn to before me this 23rd day of September A. D., 1896, and I further certify that I am well acquainted with the said Charles F. Burr and know him to be a person of credibility and of truth and veracity.

James J. Davis NOTARY PUBLIC.

My commission expires on the 23rd day of July 1896.

Affidavit of Witness.

STATE OF LOUISIANA, }
County of _____

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Charles F. Burr, who after being by me duly sworn, states that he is _____ years of age and a citizen of St Landry Parish County and State of Louisiana, and that he is personally acquainted with Dease Henry who is an applicant for citizenship in the Choctaw Nation, I. T., and affiant further states that the said Dease Henry is the identical person he represents himself to be in his application for citizenship in said Nation and that the said Dease Henry is a resident of St Landry Parish & has been over a year & that previously he resided in Calcasieu Parish. Affiant further states that said Dease Henry is about 23 years old that he has the features of an Indian & speaks the Choctaw language.

Affiant further states that he has known the said Dease Henry for the past 2 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Choctaw Indian blood, and that the complexion and the appearance of the said Dease Henry indicates that the said Dease Henry is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Dease Henry affiant states that he has every reason to believe and does believe that the said Dease Henry is of Choctaw Indian blood. Affiant further states that he has no interest whatever in the prosecution of the claim of the said Dease Henry for citizenship in the Choctaw Nation, I. T.

Subscribed and sworn to before me this 23rd day of September A. D., 1896, and I further certify that I am well acquainted with the said Charles F. Burr and know him to be a person of credibility and of truth and veracity.

James J. Lewis NOTARY PUBLIC.

My commission expires on the 23rd day of July 1896.

Application for Citizenship.

To the Honorable National Council of Delaware Nation, Indian Territory.

GENTLEMEN:—The undersigned, your petitioner, this day makes this his application for citizenship in the Cherokee Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of his application, to-wit:

That Dease Henry is the son
of one John Henry a full blood Selk'nam who the undersigned fully believes was an
Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this Civil application for Free citizenship by blood, and respectfully awaits the time when application shall be truly heard and tried.

Respectfully submitted,

Age 23 years. Postoffice Stellie Platten S. Trace ^{less} Henry _{more}

Family, with their relationship attached, is as follows :

Family, with their relationship attached, is as follows :

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
	Mass Henry	male	23	Apprentice
	Emily Henry	female	35	wife

In witness of which application I hereunto set my hand on this the eight day of

September A. D., 1896.

Dear ^{Mr} Henry

Subscribed and sworn to before me this eight day of September A. D., 1896.

James Lewis NOTARY PUBLIC.

No 6376

Isaac Henry

Cherokee Nation

FILED SEPT. 9 1896. ☆

☆ A. S. McKENNON ☆

☆ COM 'R' ☆

Refund

J H McBlendon

Amite City

Application for Citizenship.

To the Honorable National Council of Cherokee Nation, Indian Territory.

GENTLEMEN:—The undersigned, your petitioner, this day makes this application for citizenship in the Cherokee Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of his application, to-wit:

That Dease Henry is the son of one John Henry a full blood Cherokee who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this application for full citizenship by blood, and respectfully awaits the time when his application shall be truly heard and tried.

Respectfully submitted,

Age 23 years. Postoffice Wice Platte Dease Henry
Family, with their relationship attached, is as follows :

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
	<u>Dease Henry</u>	<u>male</u>	<u>23</u>	<u>Applicant</u>
	<u>Emily Henry</u>	<u>female</u>	<u>35</u>	<u>wife</u>

In witness of which application I hereunto set my hand on this the eight day of

September A. D., 1896.

Subscribed and sworn to before me this eight day of September A. D., 189

James Lewis NOTARY PUBLIC.

End

1896 Choc 1352

1896 Choc 1352

No 3894
Mary F. Harris
Jus 1352
Choctaw Nation

FILED SEPT. 13 1894
JAS. S. MCKENNON

Admit Mary F.
Harris as an intermarried
citizen -

Rolls Bros. Atty
atok 84

North Wallister, 1. 2. Sept. 8 1963.

PRODUCED THIS DAY IN THE COURT OF THE DISTRICT OF COLUMBIA IN THE CHIEF OF _____

- Mary A Harris Groatay Citizenship, as follows:

~~CONFIDENTIAL~~

Jamson Hall

Stewart Gordon Bailey

Atty. for Choice Motion.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs. *Mary F. Harris* Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

YOUR APPLICANT Mrs. *Mary F. Harris*, respectfully
represents to this Honorable Commission that she is a regularly recognized member of the Choctaw Tribe of Indians of the Choctaw Nation and is entitled to be placed upon the rolls, to be prepared by this Honorable Commission as a member of the Choctaw Tribe of Indians on the following grounds, to-wit:

1st. There is no true and perfect roll of the members of the Choctaw Tribe of Indians and no law or authority for the Choctaws to make such a roll.

2nd. On the 22 day of *Jan* 18*72* your applicant was a white woman and a citizen of the United States and on said day was legally married to
J. G. Harris, who was then and is now a regularly recognized member by blood, of the Choctaw Tribe of Indians, a copy of the marriage certificate is hereto attached and marked Exhibit "A," and made a part hereof.

That there was not then nor is there now, any law of the Choctaw Nation authorizing the issuing of a marriage license and it was and now is the established custom for Choctaw men to marry white women without a license from the Choctaw Nation and by such marriage white women become members of the Choctaw Tribe of Indians and are so recognized by the Choctaw authorities.

Your applicant files herewith the affidavit of *Sampson Hall*
as additional proof of the citizenship of said *J. G. Harris* and
the custom among the Choctaws and asks to be placed upon the rolls as a member of the Choctaw Tribe of Indians.

Subscribed and sworn to before me this the *4th*
day of *Sept* 1896

J. A. Shoney
Notary Public for the Central District of the Indian Territory.

County Clerk for Red River & Choctaw Nat. &c.

Personally appeared before me
H. C. Harris who testifies that
knows by his own knowledge
that Mr Geo. G. Harris and Miss
Mary J. Harris were lawfully
married on the 22nd day of Jan.
1872.

H. C. Harris

Sworn and subscribed to before
me this 4th day Sept 1896.

A. A. Shively

Clerk, Red River Co. La.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs *Mary F. Harris* Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

BE IT REMEMBERED That on this the *4th* day of *Sept.* 1896,
personally appeared before me the undersigned authority *Sampson*,
Hall who having been by me first duly sworn according
to law states on his oath as follows:

"I am *52* years old, I am a resident of *Red River* county of the
Choctaw Nation and a recognized member of the Choctaw Tribe of Indians. I have known
Mrs *Mary F. Harris* and her husband *J. H. Harris* for *25* years,
her husband is a member, by blood, of the Choctaw Tribe of Indians and was such at the time he
married *her*. I knew his father and mother and they
were recognized members of the Choctaw Tribe of Indians, Mrs. *Mary F. Harris*
has ever since her marriage been a recognized member of said
Tribe.

At the time of Mrs *Mary F. Harris*' marriage to
J. H. Harris it was the custom among the Choctaws for Indian
men to marry white women without a license and license was not granted. That custom still
prevails and white women who marry Indian men become members of said Tribe

Subscribed and sworn to before me this the
day of *Sept* 1896.

Sampson & Hall
Notary Public for the Central District of the Indian Territory.
County Clerk for Red River Co Choctaw Nat
Ind Ter

No.

—CLAIM OF—

Mary F. Harris

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct. 11 1896*
A. S. McKinnon
COMPTROLLER

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Mary F. Harris

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

In this case there is no proof of the marriage of the applicant.

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

MARY F. HARRIS.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 Choc 1353

1896 Choc 1353

133 No. 2747
Before Hon. Dawes
Indian Commission

In re. Isabella Holland
Applicant for citizenship

Choctaw Indian
Citizenship dependent

Filed Sept 9th 1896
H. M. Jacobson
clerk
6 am.

Rejected
Redick Lewis & Snyder,

Attorneys for Petitioner
Oklahoma City
O. T.

SOUTH McALESTER, INDIAN TERRITORY,

September 7th, 1896.

RECEIVED this day of Dorset Carter, the following papers, purporting to be the copies of the papers in the claim of Issabella Holland, et al., in their application for citizenship in the Choctaw Nation or Tribe of Indians, to-wit:

Application for enrollment.

Affidavits of _____

and exhibits thereto attached, marked

Stuart & Gordon & Hailey
Attorneys for the Choctaw Nation.

BEFORE THE HONORABLE DAWES COMMISSION, AND THE HONORABLE GOVERNOR
OF THE CHOCTAW INDIAN NATION.

Now comes Isabella Holland, your petitioner, and represents and shows that she is a Choctaw Indian by blood, and is entitled to Indian Citizenship in the Choctaw Indian Nation.

Petitioner further represents that she is the wife of W. L. Holland, and is a sister of Thomas Parks and Hecy Parks and a daughter of E. H. B. Parks a Choctaw Indian.

Petitioner farther represents that as a result of her said marriage with W. L. Holland, there have been born to her, and are now living the following children:

J. W. Holland, aged 17; C. ~~X~~ Holland, aged 16; L. B. Holland, aged 11 years, all of the above are sons; Sallia D. Holland, aged 14 years; and W. W. Holland another son, aged 4 years.

Your petitioner further represents that under the constitution, laws, customs and usages of said Choctaw Indian Nation, and the Acts of Congress pertaining thereto, ~~they~~ she and each of her said children are entitled to be placed upon the rolls of said Choctaw Indian Nation, and are entitled to all the benefits flowing and resulting therefrom.

Wherefore your petitioner prays that a time and place may be by you named, when she can fully present proof and be heard in support of their claim to citizenship in said Choctaw Indian Nation, and that upon a hearing thereof, they, and each thereof, may be placed on the rolls of said Choctaw Indian Nation.

By Isabella Holland
Redick, Lewis & Snyder Her Attorneys.

Oklahoma City, Oklahoma Territory.

Choctaw Nation :
Indian Territory : SS.

Isabella Holland of lawful age, being by me first duly sworn according to law, on oath deposes and says:

That she is the petitioner mentioned in said application for citizenship, and that she has heard read the within and foregoing petition for citizenship and understands the contents thereof, and that the allegations, matters and things therein contained are true.

Isabella Holland.

Subscribed and sworn to before me by Isabella Holland aforesaid, on this the 26 day of August, A. D., 1896.

John V. Selmon

Notary Public

SS.

_____ of lawful age being
first duly sworn according to law, on oath deposes and says:

That he made service of the within application for cit-
izenship on the Governor of the Choctaw Indian Nation on the _____
day of September, A. D., 1896, by leaving with said Governor a
true and correct copy of said petition, said copy being served at
_____ Choctaw Indian Nation, Indian Territory.

Subscribed and sworn to before me by the above named _____
_____ on this the _____ day of September, 1896.

No. _____

—CLAIM OF—

Isabella Holland

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct 7, 1896.

H. L. P. Coway
Secy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Isabella Holland

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That evidence has been filed by the claimant in this case in support of his application.

Isabelle Holland.

By

The Choctaw Nation
Stuart Gordon Haily
Its Attorneys.

End

1896 Choc 1354

1896 Choc 1354

Affidavit of Witnesses

In the case & petition and Memorial of
T. J. Howard for Admission to
Citizenship in the Choctaw Nation
Ind. Ry.

Before me the undersigned a Notary Public
for Pickens Co Ind Ry South District
Personally appeared Hornedy Williams
who after being duly sworn by me
on his Oath says he 84 years old
as near as he can recollect and that he is
acquainted with T. J. Howard who resides at
Pella P. C. Pickens Co Ind and is acquainted
with his ancestors and knows him to be
of Choctaw Indian Blood his Mother was
Mary Strickland Daughter of Rhoda Underwood
(Bran) the married Joe Underwood a son of
Pete Underwood an Old Slave Smith.
Pete & Joe Underwood was both half breed
Choctaw Indian Mary Underwood Daughter of
Joe Underwood was Rhoda Bran a full
Blood. Married William Strickland
a half Blood Choctaw & half white. Mary
Strickland Daughter of William Strickland
Married William Howard a white man
T. J. Howard is a son of William & Mary Howard
said T. J. Howard is at least a half Breed

Witness

Choctaw Indian
H. A. Ford.
G. M. Maxwell

Hornedy Williams
his Mark

Sworn and Subscribed to before me
This 18th Day of Aug 1896

D. J. Carpenter
Notary Public

in and for South District of Ind Ry.

Applicant of
Houdy Williams

Application for Enrollment

To The Hon. Henry L. Dawes, Frank B. Armstrong, Archibald McKimmon, Chas. B. Leabauer and Alexander B. Montgomery United States Commissioners authorized by act of Congress of June 10th 1896 to hear and determine claims for citizenship in the Choctaw Nation.

Gentlemen:

The undersigned your petitioner for and in behalf of T. J. Howard and his children this day makes application to you for the purpose of being placed on the revised rolls of the Choctaw Nation and of those allowed to share in the distribution of funds and allotments of lands in the Choctaw Nation in virtue of their Choctaw blood. And grounds upon which his claim is based are as follows to wit:

My name is T. J. Howard. my age is 44 years my Postoffice address is Keller, Pickens County, S.C. I am an admixture of white and Choctaw blood I am at least 1/2 Choctaw blood I am the son of William Howard and Mary Howard. Mary Howard's maiden name was Mary Strickland daughter of Roderic Underwood and Joe Underwood whose maiden name was Roderic Brown. Roderic Brown was a half breed Choctaw and a half Chickasaw Indian. Joe Underwood

was a half blood ² Chickaraw and
a half blood Choctaw. Mary Underwood
a full blood Indian married William
Strickland a half breed Choctaw,
Indian and half ~~breed~~ ^{man} white. Mary
Strickland daughter of William
Strickland and ~~Mary~~ Mary Strickland
married ~~William~~ William Howard a
white man. I am a son of William
and Mary Howard I am at least
a Choctaw Indian. That I intermarried
with Carry Ford about the year 1878
with whom I now live by such marri-
age there has been born and now living
the following named children whose names
and ages are annexed below and ^{my} children
are at least a Choctaw Indian blood.

And in support of said claim your
petitioner herewith submits the affidavit
depositions and record evidence.

And respectfully awaits the time
and place when my application shall
be heard and tried.

Respectfully Submitted,
J. H. Howard
Applicant.

Name	Age	Relationship
Gertie Howard (Beaver)	16	Daughter
Ida A. Howard (Beaver)	15	" "
Tommy Howard	13	Daughter
Horace Howard	12	Son

Lornie	9	Son
Garry	7	Son
Edmore	5	Son
Amos Beaver	1 Month	Grandson

Indian Territory
Southern District

Personally appeared before me the undersigned a Notary Public within and for the Southern District Indian Territory T. J. Howard who after being by me duly sworn stated that the matters and things set forth in the foregoing petition are true as he verily believes. T. J. Howard

Subscribed and sworn to before me this the 17 day of August 1896

J. T. Walbrook
Notary Public

My commission expires on the 1st day of Feb 1900

Your attention is called to

Your Petition States that they has given me notice this application for Enrollment - In proof your attention is called to the receipt herewith attached and submitted
T. J. Howard

Oath of Witness
In the matter of Petition and memorial of T. J. Howard for
admission to citizenship in the Choctaw Nation

Chickasaw Nation Before me J. T. Halbrook
Pickens County & a Notary Public in
and for the Third Judicial
District Indian Territory on this day per-
sonally appeared Isaac Williams who
after being by me duly sworn on his
oath says that he is well acquainted
with T. J. Howard ^{who resides at Kibler, T.} and is well acquainted
with his ancestors and knows him to be a
descendant of the Choctaw Indians. In the
following degree to wit his mother was
Mary Strickland daughter of Roda ^{Underwood} Brown
who married Joe Underwood. Joe Underwood
was the son of Peter Underwood a silversmith.
Joe and Peter Underwood were both ^{half blood} ~~half blood~~
~~Choctaw~~ and half blood Chickasaw Indians.
Their house name was Intehiwire or
Binding Post oak. Roda Brown was a
half blood Choctaw and half blood
Chickasaw ^{Indian} whose house name was Chunks
ha or Wild Goose. Mary ~~Strickland~~ ^{Underwood} daughter
of Joe Underwood and Roda Brown, a full
blood married William Strickland a
half blood ^{Choctaw name is Mopichacha or Mopichib} ~~Chickasaw~~ Indian whose
Mary Strickland daughter of William
Strickland and Mary Strickland so
married Wm Howard a white man.
T. J. Howard is a son of William and Mary
Howard said T. J. Howard is at least a
half blood ^{Indian} Indian. Affiant further
states that he knows the said T. J. Howard
to be the identical person whose pedigree

POOR ORIGINAL -
BEST AVAILABLE COPY

1 he has herein traced that he has known
2 and these parties for years that he is 93 years
3 old past that he knew Peter Underwood in
4 Mississippi before the Indians were moved
5 to the western country was born among the
6 Indians and has lived among them all his
7 life that he knows the said ancestors of the
8 said J. Q. Howard applicant were enrolled
9 in Mississippi before they left Mississippi
10 at the time of the Land Sale.

11 ^{Wm. H. Ford.} ^{G. M. Maxwell} ^{Isaac Williams}
12 Sworn to and Subscribed before me
13 on this 14 day of August 1896

14 J. J. Halbrook
15 Notary Public Third Judicial
16 Division Indian Territory.
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POOR ORIGINAL -
BEST AVAILABLE COPY

1354

See original application in # 1352
which also does not bear any
filing notation, in which the
application was "y. 18"

See also no. 1366 - original app. does
not show date of filing - nor is it
numbered. — (Rejected)

Also no 1367 - Same (Rejected)

also no 1372 Same (admitted)

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

- 000 -

In the matter of the application of Thomas Howard, et al., for
Identification as Mississippi Choctaws.

- 000 -

STATEMENTS OF FACTS AND ARGUMENT.

IT appears from the records in this case that the
applicants, Thomas J. Howard, et al., did, on the 10th. day of June,
1896, make application to the commission to the Five Civilized Tribes
for enrollment as citizens by blood of the Choctaw Nation, and, in sup-
port of their said application, filed affidavits of certain parties and,
among others, appears the affidavits of Richard C. Colbert and Isaac
Williams; Colbert testifies, in part, as follows;

"I was well acquainted
with Sallie Strickland, a full blood Choctaw woman who had a
daughter named Mary Strickland who married a man by the name
of William Howard, Mary Strickland Howard, and William Howard
had a son named Thomas Howard, and Thomas Howard had a daughter
named Gertrude Howard, and Gertrude Howard married a man by the
name of Calvin S. Beavers, and of this marriage there was born and
is living, Clarence A. Beavers, aged 5 years; Nellie V. Beavers,
age 3 years, and Myrtle I. Beavers, age 1 year; I know that
Guertie Howard Beavers is a direct descendant of Sallie Strickland,
etc. "(see page 7 of record).

Isaac Williams, in part, testifies as follows;

" Isaac Williams, who, after
being by me duly sworn on his oath says that he is well acquainted
with T. J. Howard, who resides at Kellett, I. T., and is well ac-
quainted with his ancestors and knows him to be a descendant of the
Choctaw Indians in the following degree: His mother was Mary
Strickland, daughter of Roda Brown Underwood, who married Joe Under-
wood, a silver smith. Joe and Peter Underwood were both half blood
choctaw and half blood Chickasaw Indians, their house name is
In-tis-hi-wire: or (Bending Post Oak). Roda Brown was a half breed
1

Choctaw and a half breed Chickasaw Indian whose house name was E-hunk-ha or (Wild Goose). Mary Underwood, daughter of Joe Underwood and Roda Brown, a half blood, married William Strickland, a half breed Choctaw Indian, whose house name is IM-pech-ucha, or (High Crib). Mary Strickland, daughter of William Strickland and Mary Strickland Sr. married William Howard, a white man. T. J. Howard is the son of William and Mary Howard, "(see page 14 of record.)

Subsequent to this time they made application to the Choctaw Tribal authorities for enrollment as citizens of the Choctaw Nation, this application being made in person and through their attorney Davis A. Homer, and they were, on the 16th day of January, A. D. 1897, enrolled by the Chief Commissioners of the Choctaw Nation, and their names placed on the Tribal Rolls, (see page 6 of record).

Subsequent to this the commission to the Five Civilized Tribes, through Commissioner McKennon, that this enrollment was without authority of law, and their names were ordered stricken from the Choctaw Rolls and their application made to the Commissioner for enrollment as citizens of the Choctaw Nation was denied, (see page 2 of record); and from this decision no appeal was taken to the United States Court.

It further appears that the applicants herein, through their attorneys, Thomas and Harrison, relinquished their claim to enrollment as citizens by blood of the Choctaw Nation, and on June, 8th, 1900, made application for identification as Mississippi Choctaws, and requested that the Commissioner consider the evidence offered in their application for enrollment, as a part of the record in their application for identification

as Mississippi Choctaws. In addition they offered other evidence, in the application made by themselves, and on July 2 and 3, 1902, the adult applicants herein appeared before the Commission and gave their testimony

in support of their Mississippi Choctaw claims (see pages 13-35 of record

From this examination it appears that the applicants have resided in the Choctaw and Chickasaw Nations of the Indian Territory, for 13 or 14 years and were recognized by the Tribal authorities as Indians in that their children were accorded school privileges and they were allowed to live in the Choctaw-Chickasaw Nations, under the tribal laws without the payment of permits. It is very evident that these applicants are Choctaw Indians by blood from the action of the Chief Commissioners in enrolling them as such and the subsequent action of the Tribal authorities in recognizing them as members of the Tribe.

The applicants themselves do not, nor could they, testify from personal knowledge, as to their ancestors who lived in Mississippi in the year 1830 at the time the treaty of "Dancing Rabbit Creek" was entered into, nor^{do} they know if their ancestors complied, or attempted to comply with the provisions of the fourteenth article of said Treaty, but they do know that their ancestors did not remove to the Indian Country west of the Mississippi river and what is now known as the Choctaw-Chickasaw Nations of the Indian Territory, at that time.

It appears conclusively, it seems to us, from the affidavits filed and the statements of applicants, that their ancestors were Choctaw Indians and lived in Mississippi in 1830, and did not remove to the new country but remained there, and by that action, if none other, signified their intention of becoming citizens of the States and taking their lands there; and this was clearly the object of the Treaty, to enable those Indians who remained, to have an opportunity to take lands there or, as later provided by Congress, to draw script purchase lands in the states of Mississippi, Alabama, Louisiana, and

Arkansas.

In accordance with the provisions of the fourteenth article of this Treaty the Government of the United States directed an Agent, to-wit, one William Ward, to register the names of all Choctaws desiring to remain there, become citizens of the New State, and take land. The records of the Government show that this agent failed to register and report many names of Indians, and the Government, in many instances, at its public land sales, sold land on which Indians had improvements. Finally this condition was brought to the attention of Congress and certain acts were passed between the years 1837 and 1842 providing for the appointment of Commissioners whose duty it was to hear the cases of Choctaws who claimed to have complied with fourteenth article of the treaty of "Dancing Rabbit Creek", but their lands had been sold. It seems that these commissioners performed their duties some better than did Ward, but not to the entire satisfaction of the Choctaw people. Is it small wonder that, under these conditions, many Indians who were rightfully entitled to the lands under this law, failed to appear before these Tribunals?

The actions of Ward having had a tendency to lessen the confidence of the Indians in the Government carrying out its part of this Treaty.

It seems to us that where it is proved conclusively that an applicant's ancestor was a Choctaw Indian, did live in Mississippi in 1830 and did not remove to the new country, that that should be, and is, a very strong presumption of his compliance, or attempted compliance, with this provision of the treaty of 1830. For what other purposes could he have staid, if not for this? None other that we can understand, and it seems to us that where this is shown the application should be given very careful consideration and, if some material fact is not proven sufficiently, opportunity should be given the applicant to supply this proof.

The attorneys here presenting this brief statement of facts and argument have heretofore had no connection with this case and their investigation of it is hurried and they respectfully ask a careful consideration of the whole record, in addition to the few facts herein stated, as some features of the case may have been overlooked by them in their haste.

Respectfully submitted,

Attorneys.

FCH.

No.

—CLAIM OF—

E. J. Howard et al

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED MAY 26 1904

A. S. McKENNON

COURT

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

T. J. Howard et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no evidence herein that the claimant herein is a one-eighth blood Choctaw Indian.

T. J. Howard et al.

By

The Choctaw Nation
Stuart Gordon Bailey
Its Attorneys.

End

1896 Choc 1355

1896 Choc 1355

Indian Territory }
Central District }

I, J. W. Fredrick, do solemnly
swear, that I have this day placed
in one envelope, true copies
of all papers herein enclosed, to
wit: Copy of Application of
Chas. Hagloman for citizenship;
Affidavits of R. M. Edwards and
G. W. Colbert, sealed the same,
placed full postage on it, and
addressed it to Hon. Jefferson
Gardner, Principled Chief, Choctaw
Nation, Tushka Home, I. T.,
and deposited same in the U. S.
post office at Austin, I. T.

J. W. Fredrick
Subscribed and sworn to before
me, this 8th day of Sept. 1896.
J. V. Schenck,
Notary Public.

Exhibit A.

Indian Territory, }
Central District }

Before the undersigned authority
this day personally appeared G. W. Colbert,
who having been first duly sworn
according to law depose and says
that he is a Choctaw by blood, and
is recognized by the Choctaw Govern-
ment as such; that he is personally
acquainted with Leley Ann Hagerman
who was a Miss Wiley Ann Whimstep
before her marriage to Charles Hager-
man; that she is a Choctaw Indian
by blood and is recognized as
such by the Choctaw Government;
that the said Chas. Hagerman and
wife were married according to
the usage and customs of the
Choctaw laws; that the said Chas.
Hagerman and wife reside in
the said Choctaw Nation.

G. W. Colbert
Subscribed and sworn to before
me, this the 2nd day of Sept. 1896.
J. J. Schuch
Notary Public.

Exhibit B.

Indian Territory }
Central District }

Before the undersigned authority this day personally appeared R. M. Edwards who having been first duly sworn according to law, states on oath that he is a citizen of the Choctaw nation by blood, and is recognized as such by the Choctaw Government; that he is acquainted with Chas. Hagerman, who married Belle Ann Ubiniestes, a Choctaw woman by blood and was recognized as such by the Choctaw government; that the said Chas. Hagerman and Belle Ann Ubiniestes were married in the Choctaw nation in accordance with the laws of the Choctaw nation, and has resided in the Choctaw nation since said marriage, and has been recognized as an intermarried Choctaw citizen, and has always voted in the Choctaw elections.

R. M. Edwards

Subscribed, and sworn to before me, this the 7th day of Sept. 1896.

J. J. Schuch
Notary Public.

NO.....

CLAIM OF
Charlie Hager an
For Choctaw Citizenship.

ANSWER.

Filed Oct 9, 1896,
At New Orleans
La.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Charlie Hagaman

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case service was had on the Choctaw Nation on
the 10th day of September, 1906.

The Choctaw Nation
By Stuart Gordon & Bailey
Its Attorneys.

4528

1355

Application of
Charles Hagerman

vs

Choctaw Nation

Admit Charles Hagerman
as an intermarried citizen

FILED SEPT. 9 1896.
A. S. McKENNON
COM'R

[Handwritten signature]

INDIAN TERRITORY, } Before the Hon. United States Commission Known as the Dawes Commission.
CHOCTAW NATION. }

TO THE HON. HENRY L. DAWES, CHAIRMAN, AND ASSOCIATE COMMISSIONERS:

Your petitioner, Charley Hagnum respectfully represents to your Honorable body that he is justly and legally entitled to be enrolled as a member of the Choctaw Tribe, or Nation, of Indians under the laws and treaties of the United States and the laws of said Choctaw Nation, and is entitled to all the rights and privileges as such, as will appear by exhibits A & B hereto attached and made a part of this application, in this, to wit:

That your petitioner was a citizen of the United States prior to the 5th day of October, 1880, when he was married to Selley Ann Ubiniestga; that the said marriage was solemnized in the Choctaw nation, by Rev. W. J. B. Lloyd, who now resides at Durant, Choctaw nation, Indian Territory, and was in accordance with the usages and customs of the laws of the Choctaw nation, by authority of a marriage license issued by the County Court of Keamitha county, Choctaw nation; that your petitioner has resided in said Choctaw since his marriage to Selley Ann Ubiniestga, who is a citizen of the Choctaw nation by blood and is recognized as such by the Choctaw Government, as will be seen by exhibits A & B; that your petitioner has never been denied the rights and privileges of voting, and has always voted at the Choctaw elections; that petitioner is entitled to be enrolled as a member of said Choctaw tribe of Indians as is law of the Choctaw nation, and Art. 38 of the Treaty of 1866.

authorized by Sec. 1, Page 225, Durants' Compilation of the

Wherefore petitioner prays that his name be enrolled according to law as a citizen of said Choctaw Nation, and your petitioner will ever pray, etc. Charley Hagnum

Sworn to and subscribed before me, this the 7 day of Sept. 1880

J. J. Schenck
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1896 Choc 1356

1896 Choc 1356

Application for enrollment

to the honorable Dawes Commissioners
Gentlemen the undersigned petitioner
A. B. Hamilton ^{and} for on behalf of said
A. B. Hamilton this day makes his application
to you for the purpose of being placed on the
revised roll of Choctaw Indians and of those
entitled to share in the distribution of funds
and allotments of land in the Choctaw
nation by virtue of intermarriage I herewith
submit the following as evidence

A. B. Hamilton a citizen of the United
States have this day made application for
license to marry Louisa Perkins a citizen of
Blue County Choctaw nation being satisfied
the said A. B. Hamilton has lived in the
Choctaw nation two years as the law directs
and has complied with the law of the Choctaw
nation I do here by grant me to the same
this June the 3rd. 1875

G. M. Thompson County and Probate
Judge, Blue County Choctaw nation
applicant A. B. Hamilton

Durant station Blue county Choctaw nation
C.A.B. Hamilton & Miss Louisa Perkins married
this the 14th day of June A.D. 1873. By
witness D.D. Durant ~~in witness whereof~~
~~having on this 3rd day of Sept 1896, C.A.B. Hamilton~~

Indian Territory }
Second Judicial Division } ss.
on this 3rd day of September 1896, Came before
a notary public, with in and for the above
named Territory and Division of
C.A.B. Hamilton and presented to me his
marriage license and certificate of marriage,
and I certify that the above is a true copy
of the same

J. F. Rice
Notary Public.

witness to the within
J. F. Staten

Commission to the Five Civilized Tribes.

VINITA, IND. TER. Sept 7th 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, J. L. Eyer, do solemnly swear that on the 7th day of September, 1896, I saw a package registered at the postoffice at Indianola, Ind., addressed to Jefferson Hardner ~~Governor~~ Chief of the Choctaw Nation, Eagle Town Ind. Ter., that registry receipt, No. 16, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of A. B. Hamilton and of the affidavits of A. B. Hamilton and Lewis Gilmer in support of same.

Subscribed and sworn to before me, on this 7th day of Sept 1896.

J. L. Eyer
Notary Public

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly received for by the Chiefs and Governors.

For the Commission.

REGISTRY RECEIPT.

Post Office at Indianola, Ind.
Registered Letter No. 16 Rec'd Sept 8, 1896
of A. B. Hamilton
One letter
addressed to Jefferson Hardner Chief of
Choctaw Nat Eagle Town, Ind.
J. L. Eyer, P. M.

1356 426

No. _____

CLAIM OF
A. B. HAMILTON,
For Choctaw citizenship.

ANSWER.

STUART, GORDON & HAILEY,
Attorneys.

IN THE MATTER OF THE CLAIM OF... *A. B. Hamilton*
for citizenship in the Choctaw Nation.

For and on the Choctaw Nation by its legal attorneys it says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the same is prescribed by said Commission without which this Nation must answer and produce its proof is so limited as to render to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission cannot and ought not to entertain this case for the reason that it does not appear that the applicant herein has applied for citizenship to the legal constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence produced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation in 1890 and it does not appear that his rights as such intempered citizen have been forfeited by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer again says:

In this case no evidence has been filed to support the petition.
This claim was received by Gov. Gardner on September 23rd, 1896, and therefore not entitled to consideration.

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys.

POOR ORIGINAL -
BEST AVAILABLE COPY

NO.....

CLAIM OF

A. B. HAMILTON

FOR CHOCTAW CITIZENSHIP.

ANSWER.

filed Oct. 9, 1896.

Wm. Jacoway
Secy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF A. R. Hamilton

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case no copy of license has been filed. No evidence that claimant was married according to Choctaw law.

The Choctaw Nation
By *Stuart Gordon Hailey*
Its Attorneys.

3756
1386
A B Hamilton
No 2
Charles Watson
Admit A B Hamilton
as an intermarried citizen

FILED SEPT. 5 1890.
A. S. McKENNON
COM 'R'

From Charles Watson
D. H. 1
South Canadian
J. 7.
CANADA
SEP 10 1890
MONTREAL

End

1896 Choc 1357

1896 Choc 1357

So. McAlester, I. T.

Sept. 4th. 1896.

Received this day, papers purporting to be copies in the claim of _____
J. L. Harris for Choctaw Citizenship, as
follows; Petition; Affidavits of M. Manning, Chas Manning
_____ Marriage License and marriage
Certificate.

Stuart Gordon Hailey
Attys for Choctaw Nation.

Before the Commission to the Five Civilized Tribes.

In re Application of Jack L. Harris.

Your petitioner, Jack L. Harris, alleges: That he is a Choctaw Indian by blood, and of lawful age, and for two years a resident of the Choctaw Nation; that petitioner is a son of Mrs. Rebecca Harris, a Choctaw Indian by blood; that said Rebecca Harris was a daughter of ex-Gov. Greenwood LaFlore, a Choctaw by blood, and a chief of the Choctaws while the Tribe resided in Miss.; that said petitioner is therefore a grandson by blood of said Greenwood LaFlore; that petitioner has all these years claimed his Choctaw blood.

Petitioner further alleges that on the 6 day of July 1896 he was under a ^{a certified copy being here attached as exhibit} proffer marriage license, in Grayson County, Texas united in marriage with Amelia Manning, an enrolled Choctaw Indian by ~~blood~~ blood, the laws of said state being fully complied with; that at the time of said marriage petitioner claimed to be a Choctaw Indian ~~and~~ and was so regarded at his place of residence in said Choctaw Nation, to wit., Caddo in Blue County; that according Choctaw law custom and usage one Indian need not procure a license in order to marry another Choctaw Indian; that on 3 day of Feb 1896 one child to wit., Paulina Harris was born to the wife of said petitioner as aforesaid. Wherefore, the premises considered, petitioner prays that he be enrolled as a Choctaw citizen by blood; but should you Commission consider that petitioner is not entitled to be so enrolled, he then prays to be enrolled as a Choctaw citizen by marriage; for his said wife is an enrolled Choctaw by blood; and he was regarded and claimed to be an Indian, at least thought himself to be such when he consummated said marriage with said Amelia Manning, an enrolled Choctaw by blood; and for that reason petitioner did not think that he ought to marry said wife as a white man under Choctaw law-at any rate petitioner prays that he be enrolled either as a Choctaw citizen by blood or as such citizen by marriage and further that his said child by said Indian wife by blood, Amelia-Manning Harris, to wit., Paulina Harris be enrolled as a member by blood of said Choctaw Nation.

Subscribed and sworn to before me this 3 day of September 1896.

J. R. Rappley
Notary Public.

Indian Territory, Central Judicial District.

Before me, J. L. Reppole, a Notary Public in and for said District, M. C. Manning, being duly sworn, says on oath that he is a registered Choctaw citizen by blood and of lawful age; that ^{being a grand son of the late Greenwood L. Harris a Choctaw by blood} he knows Jack L. Harris of Blue county, Choctaw Nation; that he is a Choctaw by blood and has been residing in said Nation about 2 years; that the said Harris has claimed to be a Choctaw by blood and has been so regarded by the Choctaw residents around him; that though his citizenship was in dispute before the Council he had been permitted to reside here prior to his marriage and have the privileges of a Choctaw citizen; and was so treated by his Choctaw neighbors; that on the 6 day of July 1896 the said Jack L. Harris was duly married to Miss Amelia Manning, an enrolled Choctaw citizen by blood; that since said marriage they have resided together in Blue county, Choctaw Nation continuously; that said Jack Harris is entitled to be enrolled as a member of said Choctaw Nation; that according to Choctaw law, custom, usage an Indian citizen need not procure a marriage license from the Choctaw authorities in order to marry an Indian woman residing therein that said Jack L. Harris and his said wife are both of lawful age; that one child, to wit., Thelma Harris has been born to said couple in said wedlock; ^{that the facts stated in his said petition are true in state -}

M. C. Manning

Subscribed and sworn to before me this 3 day of September 1896.

J. L. Reppole
Notary Public.

Indian Territory, Central Judicial District.

Before me, J. J. Reppolier, a Notary Public in and
for said District, Chas. Manning, being duly sworn,
says he said that he is a registered Choctaw citizen by blood and of
lawful age; that he knows Jack L. Harris of Blue County, Choctaw Nation;
^{being a grandson of Mr. Manning, a La Fles, a Choctaw by blood}
that he is a Choctaw by blood and has been residing in said Nation about
years; that said Harris has claimed to be a Choctaw by blood and
has been so regarded by the Choctaw residents around him; that though
his citizenship was in dispute before the Council he had been permit-
ted to reside here prior to his marriage and have the privileges of
a Choctaw citizen; and was so treated by his Choctaw neighbors. And on
the 6 day of July 1872 the said Jack L. Harris was duly married to
Miss Thelma Manning, an enrolled Choctaw citizen by blood; that since
said marriage they have resided together in Blue County, Choctaw Nation
continuously; that said Jack Harris is entitled to be enrolled as a
member of said Choctaw Nation; that according to Choctaw law, custom,
usage an Indian citizen need not procure a marriage license from the
Choctaw authorities in order to marry an Indian woman residing herein
that said Jack L. Harris and his said wife are not of lawful age; that
one child, to wit, Thelma Harris has been born to said
couple in said wedlock. ^{That the facts stated in his said pe-}
^{tim are true as stated -} Chas Manning

Subscribed and sworn to before me this 3 day of September 1872.

J. J. Reppolier
Notary Public.

No. _____

MARRIAGE LICENSE

J. L. Harris

AND

Isabella Harrison

Issued the 10th day of

July 1891

St. Louis, Mo.

Chief County Court

By _____ Deputy

Filed the _____ day of

1891

Chief County Court

By _____ Deputy

Recorded in Book _____ Page _____ of Marriage Records



Exhibit A

To any Judge of the District Court, Judge of the County Court, Ordained or Licensed Minister Jewish Rabbi, or Justice of the Peace of Grayson County Greeting:

You are hereby Authorized to Celebrate the

rites of MATRIMONY

Between J. H. Harris
and Anna Manning
and make due return to the Clerk of said Court within sixty days thereafter,
certifying your action under this License.

(25) **Witness** my official Signature and Seal
this 6th day of July 1892
Richardson Clerk
By _____ Deputy


I Richardson certify that on the 6th day of July 1892
I united in Marriage J. H. Harris
and Anna Manning the parties above named.
Witness my hand this 6th day of July 1892
Richardson Judge
Grayson Co. Tex.

Returned and filed for record the _____ day of _____ 1892
and recorded the _____ day of _____ 1892

Deputy

County Clerk

The State of Texas } Distribution Clerk of the Court
 County of Tarrant } Clerk of said County do hereby certify
 that the foregoing is a true copy for a copy of the
 same as the same are on file in the office of the Clerk of
 the Court and the same is as the same appear
 in the record of said case in Book A. Page 355 Marriage
 Record of said County between said husband and
 said wife. Witness my hand and
 seal of office this 21st day of
 September 1894.
 Distribution Clerk of the Court
 Tarrant County, Texas

	
Marriage License	
AND	
Given to 1894	days of
At Tarrant County, Texas	County of
Between 1894	days of
At Tarrant County, Texas	County of
By 1894	days of
At Tarrant County, Texas	County of
By 1894	days of
At Tarrant County, Texas	County of
By 1894	days of
At Tarrant County, Texas	County of

No 1688
1887

Filed Sept 9th 96

H M Jacobson

Admit J. D. Harri
an an intermarried
citizen and Thelma
Harri a citizen
by blood -

No.

—CLAIM OF—

J. L. Harris

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

H. W. Jarman
Secy

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF **J. L. Harris.**

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says.

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case fails to show that the applicant is of one-eighth blood Choctaw Indian. And it is further shown that the marriage under which applicant claims was under license from the State of Texas, and conferred no Choctaw rights on claimant.

The evidence fails to show that this claim has ever been disputed by the Choctaw Nation.

J. L. Harris.

The Choctaw Nation
By *Frank Gordon Bailey*
Its Attorneys.

End

1896 Choc 1358

1896 Choc 1358

APR 21 1884

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ATOKA.
G. R. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South-McAlester, Ind. T., April, 23rd. 1897.

To the Honorable Dawes Commission;

Atoka, I. T.

The Choctaw Nation

Sirs: You are hereby notified that ~~Francis Husbands~~ has taken an appeal to this court from the decision rendered by you on the application of Francis Husbands et al, vs The Choctaw Nation.

You will at the earliest time practicable, transmit to this court a transcript of all the entries on your docket relating thereto, together with the original papers, depositions and testimony, and your decision on said application.

Yours very respectfully.

P. B. Stoner
Clerk.

No. 1358

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Francis Elizabeth Husbands

VS.

Choctaw ----- Nation.

Received and filed this . day of

189.

Secretary.

RECEIVED FOR POST OFFICE

FILED.

Five civilized tribes, the original papers,
J. H. Husband, vs. *Choctaw* Nation, as follows:

Question
Answer
Copy Judgment

this the 19 day of

S. M. Kuster
 May 1897
 O. B. Kuster
 Currie

End

1896 Choc 1359

1896 Choc 1359

Before the Court common
application of D.H.
No. 1168-
1359

Filed Sept 9-1896
H. S. McKenna
Clerk

D. H. Hoover
vs

Chestnut National

P.C.
Rae & Co. attys

Atoka, I.T.

Admit. D. H. Hoover
as an intermarried
citizen -

J. P. Connors
Rae & Co. attys

South McAlistor, I. T. Sept 4, 1890.

Received this day papers purporting to be copies in claim of _____

D. H. Hoovers

for Choctaw Citizenship as follows: petition, marriage license and marriage
certificate and affidavits of Chas Patterson

Stuart Gordon & Hailey

Attys for Choctaw Nation.

Before the Commission for the Five Civilized Tribes
D. H. Hoover, Applicant for enrollment
as a member of the Choctaw Tribe of Indians.
Your Applicant, D. H. Hoover, respectfully represents
to this honorable Commission that he is a regularly
recognized member of the Choctaw Tribe of Indians of
the Indian Territory and is a bona fide resident of
the Chickasaw Nation and is entitled to be placed upon
the rolls being prepared by this honorable Commission
as a member of said Choctaw Tribe or Nation, for the following reasons
to-wit: 1st There is no correct or perfect roll of the Choctaw
Tribe of Indians, and no law or authority for Choctaw Nation to
make such rolls.

2nd Your applicant was on the 27th day of April 1892
a citizen of the United States and a white man and a resident
of the Chickasaw Nation and was on said date legally and in
compliance with the laws of said Nation married to Rosa Campbell.
who was then and is now a regularly recognized member by blood of
the said Choctaw Tribe of Indians. A copy of the marriage license
and certificate of marriage is hereto attached and marked
Exhibit "A" and made a part hereof.

3rd By virtue of said marriage your applicant became
a member of said Tribe of Indians and has ever since been
so recognized by other members of said Tribe and his membership has
never been denied or forfeited. Your applicant files herewith
the affidavit of Charles Patterson as additional proof of
the membership of his wife Rosa Hoover and asks
that his name be placed upon the rolls as a member of the Choctaw
Tribe of Indians.

D. H. Hoover

Submitted & sworn to before me this 23rd day of May, 1896.

Before the Commissioner for the Civilized Tribes.
In the matter of the application of
~~D.H. Hoover~~
~~Capt B. Camp~~ Applicant for
Enrollment as a member of the Choctaw Tribe of Indians

On this the 31st day of Aug. 1896. personally appeared
before me the undersigned Charles Patterson, who having
been by me duly sworn according to law I take
on his oath as follows to wit:

"I am 60 years old, am a resident of Pichonago
of the Chickasaw Nation and am associated with the
Applicant D.H. Hoover and have known him
during the past 25 years. I know his wife
Rosa Hoover and have known her for 25 years.
I know her father, ^{J.B. Camp} and mother, ^{Mary Camp} and know her
mother Mrs Mary Camp to be a member by blood
of the Choctaw Tribe of Indians and that she is so
recognized by other members of said tribe
Ever since the applicant married said Rosa Camp.
He has been recognized as a member of said tribe
and his right has never been disputed.
Mrs Rosa Hoover was before her marriage to the applicant
a Camp, being a daughter of Capt B. Camp
and Mary Camp. The Applicant is now a
resident of the Chickasaw Nation

Charles Patterson

Subscribed & sworn to before me this 31st day of Aug. 1896.
M. F. Myers.

Notary Public Southern Dist. Ind. T.

Chickasaw Nation County of Pickens
To any Judge of the County or District Court,
or any ordained minister of the Gospel
in and for said County of Pickens-Emits:
You are hereby authorized to solemnize the
Rites of Matrimony between
Mr D. H. Hoover and Miss Rosa Camp.
and make due returns to the Clerk of the
County Court within thirty days thereafter
certifying your actions under this license
Witness my official signature & Seal of office
Pickens County Court-House this 21st day
of April 1892.

By _____ deputy

R. B. Willis Judge
County Court-Pickens County.

I, A. B. Humphreys, hereby certify that on the 27th day of
April A.D. 1892. I united in marriage D. H. Hoover and
Miss Rosa Camp, the parties above named. Witness my hand
this 30th day April 1892. A. B. Humphreys P.C.
Filed for record 10th day May 1892.

Recorded 20 day of May 1892.
I. O. Lewis. Clerk.

Southern dist.

Ind. Ter.

This is to certify that the above
is a true and correct copy of marriage
license the original of which is now in
possession of said D. H. Hoover of Davis, I.T.

M. F. Myers

Notary Public Southern Dist. I.T.

No.

—CLAIM OF—

D. H. Horner

FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Oct 7, 1896.
H. H. J. J. J.
Secy.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

D. H. Hoover

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses herefore set out, defendant for further answer herein says:

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

D. H. HOOVER.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 Choc 1360

1896 Choc 1360

Sept. 17, 1877.

Received is my papers and certificate of citizenship as follows; Petition; Attestation of *J. J. Hodges Lizzier*
Chiss, Alice Hodges, A. Pelle

Stuart Lord
Attest

No. 1667 / 1300
original
~~Ex. 22~~
~~Ex. 22~~
Hodges
vs
Choctaw nation

Filed Sept 9/46
H. Macawon
Clerk
admitted to office 12
Hodges vs. Choctaw
intermediary

Est. P. H.
atty at Kd. #1.
Granted

Before the Commission to the Five Civilized Tribes.

In re application of Joseph J. Hodges et ux.

Your petitioner, J. J. Hodges, a regularly enrolled Choctaw Indian by blood, and of lawful age, alleges: That on the 17th day of January 1883 he was according to Choctaw custom, law, and usage duly united in ~~#####~~ marriage ~~###~~ with Laura B. Miller, a white woman and citizen of the United States; said marriage was solemnized by Rev. J. S. Murrow in Atoka County, Choctaw Nation; that according to Choctaw law, custom and usage an Indian citizen need not procure a marriage license in order to marry a white woman~~###~~, and that said marriage was consummated accordingly; that said married couple have lived together continuously in said Choctaw country since said marriage; that his said wife since that time has been treated, regarded and considered by the Choctaw authorities as a citizen by inter-marriage.

Wherefore, the premises considered, according to articles 26 and 38 of the Treaty of 1866, petitioner prays that his said wife, Laura B. Hodges be enrolled as a Choctaw citizen by marriage.

...*J. J. Hodges*.....

Subscribed and sworn to before me this 2nd day of September 1896.

L. A. Pate

Notary Public.

The said Laura B. Hodges, being duly sworn, says on oath that she has read the foregoing petition and the facts therein stated are true as stated; that she is the said wife of the said Joseph J. Hodges and is of lawful age.

L. B. Hodges

Subscribed and sworn to before me this 2nd day of September 1896.

L. A. Pate

Notary Public.

Indian Territory, Central Judicial District.

Before me, G.A. Pate, a Notary Public in and for said district,
- Leigie Cline - a Choctaw citizen and of lawful age, being
duly sworn, says on oath that Joseph J. Hodges, the herewith petition-
er and a Choctaw enrolled citizen by blood, was duly united in marriage
with Laura E. Miller in the Choctaw Nation on the 17th day of January
1907 and that his said petition and the facts therein stated
are true and correct as stated.

Leigie Cline

Subscribed and sworn to before me this 1st day of September 1907.

G.A. Pate

Notary Public.

Also Alice E. Jones, a Choctaw by blood and of lawful age, being duly sworn,
says on oath that the herewith petition of Joseph J. Hodges
is true and the facts therein stated are true and correct as stated.

Joseph J. Hodges

Subscribed and sworn to before me this 1st day of September 1907.

G.A. Pate

Notary Public.

Indian Territory, Central Judicial District.

Before me, G. A. Pate, a Notary Public in and for said district, ~~Wesley~~ A. Telle, a Choctaw by blood, and attorney at law, and of lawful age, being duly sworn, says on oath that he knows herein petitioner, J. J. Hodges, to be an enrolled Choctaw Indian by blood, enjoying all rights and privileges of regularly registered Choctaw Indians by blood; that his wife Laura B. Hodges, a white woman and citizen of the United States, and her afore said husband since their marriage have resided in the Choctaw Nation; that according to Choctaw law, custom and usage an Indian citizen need not procure a marriage license in order to marry a white woman; that his said wife has been recognized by the Choctaw authorities as a citizen by marriage, and is entitled to be enrolled by this Commission as a Choctaw citizen by Marriage.

A. Telle

Subscribed and sworn to before me this 3 rd day of September 1896.

G. A. Pate

Notary Public.

No.

—CLAIM OF—

Sam B. Hodges.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

H. M. Jernigan
Deputy

STUART GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF **Laura B. Hodges.**

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

In this case there is no proper proof of the marriage of applicant.

The evidence fails to show that this claim has ever been disputed by the Choctaw Nation.

Laura B. Hodges.

By *The Choctaw Nation*
Frank Gordon Hailley
Its Attorneys.

End

1896 Choc 1361

1896 Choc 1361

South McAlester, I.T.

Received this day in the matter of citizenship of Jack Halman
_____ against the Choctaw Nation, papers purporting to
be copies as follows: petition, Affidavits of Mattie Halman
J. B. Shreve _____ marriage license, marriage
certificate,:

Stuart Gordon Bailey

Attys for Choctaw Nation.

Application for Enrollment.

To the Hon United States (House)
Commissioner at Kiamita. I J.
Comes your petitioner Buck Holman
and his wife Mattie Holman (nee
Gleason) for citizenship and enroll-
ment in the Chertaw Nation
alleges and says.

That the said Buck Holman is
a white intermarried citizen
of the Chertaw Nation and a
resident thereof and that on
the 26th day of July 1898 in the town
of Hartsboro in the Chertaw Natⁿ
in the Ind. Ter. he was legally
married to Miss Mattie Gleason
a Chertaw Indian by blood who
was a resident of said nation
and duly recognized by the
authorities thereof.

Petitioner further says that his said
wife Mattie Holman is enrolled
in the said nation as Mattie Gleason
and that she participated in the Chertaw
payment of 1898 known as the lease
district payment to the Chertaw
Tribe of Indians and that her name
appears upon the "Roll" of that date.

Indian Territory
Central Dist. Affidavit of Matt Holmes

Affiant Mattie Holmes of legal
age being duly sworn deposes and says
I am the wife of Buck Holmes the
applicant herein and I am an
Indian by blood and I
have always enjoyed all of the
immunities and rights of an
Ochotaw citizen.

My name appears upon the docket or
located "Roll" of said Nation in the
name of Mattie Holmes I participated
in the payment of 1898 taxes on
the lease District Payment to
the Ochotaw of Indians and
my name was then enrolled
My said husband Buck Holmes
and I have lived together as
husband and wife since our
marriage 28th day of July 1896

Mattie Holmes,
Signed and Sworn to on the 20th
day of Aug 1896.

My commission
Expires Sept 14th 1898. J. A. Gregory
Notary Public

Marriage License

Annually these presents the license is hereby granted unto
Luek Holman a citizen of the United States age 29 and Miss Mattie
Hess a citizen of the same Nation age 24 to be united in
Holy Bonds of Matrimony. Therefore any minister of the Gospel
or judge of Court in the above Nation is hereby authorized
to perform the marriage ceremony uniting the above
couple as husband and wife he having complied with the
requirements of the laws of the said Nation.

In testimony whereof I hereby sign my name with my
official seal on the 25th day of July 1896

J. Nelson

Clk Lewis Co. Chertaw Nat.

Certificate of Marriage

This is to certify that a minister of the Gospel
performed the ceremony uniting the above named
couple as husband and wife on the 25th day of
July 1896. A. L. Smith Ref. & Baptist Minister.

The above license and certificate are filed of record
in page 95 of Book B. in my office Aug 13th 1896

J. Nelson Clk Lewis Co. C. N.

Hardshone Court House

Lewis Co. Chertaw Nat.

This is to certify that this is a true copy of the
Marriage License and certificate of Luek
Holman and Miss Mattie Hess as it appears
in this office on page 95 of Book B. This
Aug 14th 1896 J. Nelson Clk Lewis Co. C. N.

A. L. Smith Ref.

Deputy

Cornhus District } Exhibit
Indian Territory } Affidavit of
Mrs. P. Savage

Personally appeared before me a Notary Public of the aforesaid Dist, and Ter, one J. P. Savage of lawful age who being duly sworn by me deposes and says; I have known the petitioner Tuck Holman and his wife intimately for two years they were married according to the laws of the Choctaw Nation in July 1896; and have lived together since as husband & wife. I know the said wife to be a Choctaw Indian by blood and entitled to all rights, privilege and immunities as such. Since said marriage they said Tuck Holman has been recognized as a inter-married Choctaw and has rendered all the rights and benefits of such citizens.

John. P. Savage

Signed and sworn to before
me on this 8th day of Sept.
1856 A. Frank Rose
Notary Public

much of a man
5

Q. Now, you said that you were not going to go back to work until you had been paid your wages; is that right?

A. Yes.

9

~~A. Pratt~~
P. Meade
J. S.

No.

—CLAIM OF—

Guck Holman

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

W. H. January
Dep.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Tuck Holeman.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence does not show that the claimant was married under license from the Choctaw authorities.

There is no evidence to show that this claim has ever been disputed by the Choctaw Nation.

Tuck Holeman.

By The Choctaw Nation
Stewart Gordon Hickey
Its Attorneys.

End

1896 Choc 1362

1896 Choc 1362

Application of
W. P. Hickman for
Choctaw citizenship

Pollan & Green Attys.
Cameron D. T.

Department of the Interior
Commission to the Five Civilized Tribes of Indian

Before Henry S. Davis, Frank C. Armstrong
A. S. McKinnon, T. B. Cabiniss and
A. B. Montgomery, United States Com-
missioners, sitting as a committee
to pass upon the rights of applicants
to Indian citizenship

William P. Hickman } Application for
Applicant } Choctaw citizenship
} ex parte

The Applicant Wm P. Hickman,
residing at Stigler Choctaw Nation, Indi-
an Territory for the purpose of his ap-
plication for citizenship in the Choctaw
nation as a member of the Choctaw
tribe of Indians & States, ^{that} he is the son
William A. Hickman and Sarah Hickman
whose maiden name was ~~the~~ Sarah
McAdory (Choctaw name) and that said
Sarah Hickman nee Sarah McAdory was
the daughter Robert McAdory and
Susan Fox ^{McAdory} that said Robert McAdory
(Choctaw name) was a Choctaw Indian
and a ^{regular} member of the Choctaw tribe of
Indians and that Applicant
William P. Hickman is a grandson
of the said Robert McAdory and a
Choctaw Indian by blood and

is entitled to be enrolled as such ^{and}
prays that his name together with
the names of his minor children namely
James M. Hickman aged 19 years
John B. Hickman aged, 17 years -
Ida Lillian Hickman, 16 years
Callie Lee Hickman, 14 years
Eugene A. Hickman aged 12 years
Robert A. Hickman aged 10 years
Mary Paulina Hickman aged 6 years
Barbery E. Hickman aged 4 years
be entered upon the Choctaw rolls
as members of the Choctaw
tribe of Indians

W. P. Hickman

Subscribed and sworn to before me
this the 31st day of Aug^r 1896

Wm E Green

© Notary Public
at Cameron Indian Territory

Application of J. B.
Hickman for election
Citizenship

Pollan & Greenally
Cameron J. T.

Department of the Interior
Commission to the five civilized Tribes of Indians
Before Henry S. Dawes, Frank C. Armstrong
A. S. McKennon, T. B. Catbress and
A. B. Montgomery, United States
Commissioners sitting as a committee to
pass upon the rights of applicants
to Indian citizenship.

John B. Hickman } Application for
Applicant } Choctaw Citizenship
} Ex parte

The applicant John B. Hickman
residing at Shady Point - Choctaw Nation
Indian Territory for the ground of his
Application for citizenship in the Choctaw
Nation as a member of the Choctaw tribe
of Indians states that he is the son of
William A. Hickman and Sarah
Hickman, whose Maiden name was
Sarah McAdory, (Choctaw ^{Carrie})
and that said Sarah Hickman, nee
Sarah McAdory - was the daughter of
Robert McAdory and Susan Fox ^{McAdory}
and that said Robert McAdory (Choctaw
Carrie) was a Choctaw Indian and
a regular member of the Choctaw
tribe of Indians and that applicant
John B. Hickman is a grandson of
the said Robert McAdory (whose Choctaw

name was Barnes) and a Choctaw
Indian by blood and entitled to be
enrolled as such and pray that
his name together with the names of his
minor children namely, Edward Riley,
Hickman aged 18 months - be
entered upon the Choctaw rolls
as members of the Choctaw
tribe of Indians.

^{his}
J. B. Hickman
Sworn to and subscribed before me
this the 31st day of August, 1896

W. E. Green
Notary Public
at Cameron Indian Territory

Application of Eran
Hickman for elec-
tion Citizenship

Pollan & Greenatt
Cameron
2. 7.

Department of the Interior
Commission to the five Civilized Tribes of Indians

Before Henry S. Dawes, Frank C. Armstrong,
A. S. McKennon, J. B. Cabiniss and
A. B. Montgomery. Commissioners are sit-
ting as a Committee to pass upon the
rights of Applicants to Indian Citizenship

Evan A. Hickman } Application for
Applicant } Choctaw Citizenship
Ex parte

The Applicant - E. A. Hickman
residing at Stigler Indian Territory
for the grounds of his application for
Citizenship in the Choctaw Nation as
a member of the Choctaw tribe of
Indians states that he is the son of
William P. Hickman and that the said
William P. Hickman is the son of
William A. Hickman and Sarah Hickman
whose maiden name was Sarah McAdory,
(Choctaw name Carnie) both now deceased,
and that said Sarah Hickman nee
Sarah McAdory was the daughter of
Robert McAdory (Choctaw name Carnie)
and Susan McAdory, nee Susan Fox
and that said Robert McAdory was
a Choctaw Indian and a regular member
of the Choctaw Tribe of Indians

that is to say that the Applicant
Evan A Hickman is a great grandson
of the said Robert McAdory (Choctaw)
and a Choctaw Indian by blood and is
entitled to be enrolled as such and
prays that his name be entered upon
the Choctaw rolls as a member
of the Choctaw tribe of Indians

Evan A Hickman

Subscribed and sworn to before me

This the 20th day of September, 1896

Wm S Miley

Notary Public

My Comm. Expires

Feb 21st 1899

Application of
Sarah J. M. Blair for
Choctaw Citizenship

Pollard & Green Atty
Cameron
D. I.

Department of the Interior
Commission to the five Civilized Tribes of Indians
Before Henry S. Dawes Frank C. Armstrong
A. S. McKennon, J. B. Cavinis and A. B.
Montgomery United States Commissioners
Sitting as a Committee to pass upon
the rights of applicants to Indian
Citizenship

Sarah J. St. Clair } Application for
Applicant } Choctaw Citizenship
Ex parte

The Applicant Mrs Sarah J. St. Clair
a resident of Stigler Choctaw
Nation Indian Territory for the grounds
of her application for citizenship in
the Choctaw Nation as a member of the Choctaw
Tribe of Indians states that she is the
daughter of William P. Hickman
and that the said William P. Hickman
is the son of A. Hickman and Sarah Hickman
whose maiden name was Sarah McAdory
(Choctaw name Carrie) both now deceased
and that said Sarah Hickman nee
Sarah McAdory was the daughter of
Robert McAdory (Choctaw name Carrie)
and Susan Fox ^{McAdory} and that said Robert
McAdory was a Choctaw Indian and
a regular member of the Choctaw tribe
of Indians; that is to say that the
Applicant Sarah J. St. Clair is a

great Grand daughter of the said
Robert McAdory (Choctaw (Carnie) and
a Choctaw Indian ^{blood} and entitled to
be enrolled as such, and prays
that her name and the name of
her two minor children namely
William S. St. Clair aged three years &
Vivian St. Clair aged 1 year be
entered upon the Choctaw rolls as
members of the Choctaw Tribes of
Indians.

Sarah J. St. Clair

Subscribed and sworn to before me
this 2nd day of Sept 1896

Wm S. Wiley

Notary Public

My Com. Expires

Feb 21st 1899

Application of Mary
J. P. Avery for Choctaw
Citizenship

Pollan & Green
Cameron
J. F.

Department of the Interior
Commission to the 4th Civilized Tribe
of Indians

Before Henry S. James,
Frank C. Armstrong, J. C. Smith,
J. S. McKinnon and A. B. Hufman,
United States Commissioners sitting as a
Committee to pass upon the rights of the
Quota to Indian citizenship

Mrs Mary J. P. Avery } Application for
Applicant } Choctaw Citizenship
in part

The Applicant Mrs M. J. P. Avery was
seen at Oak Lodge Indian Territory
for the purpose of her application for
citizenship in the Choctaw Nation, as
a member of the Choctaw tribe of
Indians. She states that she is the
daughter of William A. Hickman and
Sarah Hickman whose maiden name
was Sarah McAdory (Choctaw name
Carnie) ^{both now deceased} and that said Sarah Hickman
nee Sarah McAdory was the daughter of
Robert McAdory and Susan Fox and that
said Robert McAdory (Choctaw name Carnie)
was a Choctaw Indian and a regular mem-
ber of the Choctaw tribe of Indians that
is to say that the Applicant Mrs M. J. P.
Avery is a grand daughter of the said
Robert McAdory Choctaw name Carnie and

Choctaw Indian by blood and entitled to be enrolled as such and prays that her name to gother with the names of her minor children namely

~~Hande McVerry~~ aged
Sas Avery aged 15 years Ruston Avery
aged 13 years Sudie L. Avery aged 11 years
be entered upon the Choctaw rolls as
members of the Choctaw tribe of
Indians

M. J. P. Avery

Subscribed and sworn to before me

Wm E. Green Notary Public at Comm.

Indian Territory This 2nd September, 1896

Wm E. Green
Notary Public

Application of
Alexander Murray for
Choctaw Citizenship

Pollard & Greenally
Counselors
J. T.

Department of the Interior
Commission to Give Civilized Tribes of Indians
Before Henry L. Dawes, Frank C.
Armstrong, C. A. S. McKennon, T. B.
Cabiniss and A. B. Montgomery,
United States Commissioners Sit-
ting as a Committee to pass upon
the rights of Applicants to Indian
Citizenship

Alexander W. Avery } Application for
Applicant } Choctaw Citizenship
Respectfully

The Applicant Alexander W. Avery
residing at Oak Lodge Choctaw Nation,
Indian Territory for the grounds of his
Application for Citizenship in the
Choctaw Nation as a member of the
Choctaw Tribe of Indians States that
his is the son of C. M. Avery and
Mary J. (P. Avery nee Mary J. P. Hickman,
that the said Mary J. P. Avery, nee
Hickman was the daughter of William
A. Hickman and Sarah Hickman, whose
maiden name was Sarah McAdory
(Indian name Carnie) and that Sarah
Hickman was the daughter of Robert
McAdory (Choctaw name Carnie) and Susan
Fox McAdory; That said Robert McAdory
(Choctaw name) Carnie) was a Choctaw
Indian and a regular member of

the Choctaw tribe of Indians;
that is to say that the Applicant
A. W. Avery is a great grandson
of the ^{and} Robert McVerry (Choctaw name
Carnie) and a Choctaw Indian by
blood and is entitled to be enrolled
as a Choctaw citizen and he prays
that his name be entered upon
The Choctaw roll as a member
of the Choctaw tribe of Indians

Alexander William Avery

Subscribed and sworn to before me
Wm E Green, Notary Public at
Canton, Indian Territory

This 3rd day of Sept 1896

Wm E Green
Notary Public

No.

—CLAIM OF—

W. P. Hickman et al

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct. 1, 1900.*
A. S. MCKENNON
COM'R

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

W. P. Hickman et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The affidavits filed in this case do not show that the ancestors of claimants were of Indian blood, but simply state that such ancestors made claim to Indian blood. There is no positive evidence in this case except the petitions of the applicants, and such petitions are not sufficient to establish their rights.

W. P. Hickman et al.

The Choctaw Nation
By *Stuart Gordon Hailey*
Its Attorneys.

Department of Interior
Commission to the five Civilized Tribes of Indians
In the the Matter of the Application of
Mrs Sarah G. St. Clair nee Hickman, for
Indian citizenship in the Choctaw Nation
as a member of the Choctaw Tribe of Indians

Personally appeared before me G. W.
St. Clair a Notary Public at Blaine Indian
Territory, J. H. Hickman and Jno. B. Hickman
each personally known to me, and each
for himself and not for the other, states
upon oath, that he is of lawful age
and has personally known the Applicant
in this claim Mrs Sarah G. St. Clair nee
Hickman from her infancy, and
that she is the daughter of Wm R.
Hickman and Aurelia J. Hickman
nee Lee, and that ^{said} Applicant is the
grand daughter of Wm A. Hickman deceased
and Sarah Hickman nee Sarah Meadors
deceased

J. H. Hickman

John B. Hickman

Subscribed and sworn to before me
this 4th day of September 1896

G. W. St. Clair

Notary Public

My Commission Expires
May 9th 1900

Department of the Interior
Commission to the Five Civilized Tribes of Indians
In the Matter of the Application of
Evan A. Hickman for Indian citizenship
in the Choctaw nation as a member of
the Choctaw tribe of Indians

Personally appeared before me G. W.
St. Clair a Notary Public at Blaine
Indian Territory. Jas H. Hickman
and John B. Hickman, each personally
known to me and each for himself
and not for the other, states upon
oath, that he is of lawful age,
and has personally known the appli-
cant in this claim Evan A. Hickman
from his infancy and that ~~he~~ is
the son Wm O. Hickman and
Aurilia J. Hickman, nee. Lee and
that said applicant is the grandson
of Wm A. Hickman ^{decd} and Sarah Hicke-
man nee Sarah McCadony deceased -

J. H. Hickman
John B. Hickman

Subscribed and sworn to before me

This 4th day of Sept 1896

G W St Clair

Notary Public

My Commission
Expires May 9th 1900

Department of Interior
Commission to the five Civilized tribes of Indians
In the Matter of the Application of Alexandre
McAvery for Indian citizenship in the
Choctaw Nation as a member of the
Choctaw tribe of Indians

Personally, appeared before me G. W.
St. Clair a Notary Public at Bleine
Indian Territory, Wm P. Hickman
and Jno B. Hickman each person-
ally known to me, and each for
himself and not for the other stated
upon oath that he is of lawful
age and that he has personally
known the Applicant in this claim
Alexandre McAvery from his infancy
and that he is the son of Mrs Mary
J. P. Avery nee Mary J. P. Hickman
and C. M. Avery and the grandson
of Wm. A. Hickman deceased and Sarah
Hickman nee Sarah McAdory deceased
W. P. Hickman

John B. Hickman

Subscribed and sworn to before me
this 4th day of September 1896

My Commission,

G. W. St. Clair
Notary Public
May 9th 1900.

Department of Interior
Commission to the five Civilized Tribes of
Indians

In the Matter of the application
of Wm P. Hickman for Indian citizenship
in the Choctaw Nation as a member of
the Choctaw Tribe of Indians

Personally appeared before me
G. W. St Clair a Notary Public
at Blaine Indian Territory
C. M. Avery, who upon his oath
states that he has known Wm P.
Hickman the Applicant in this case
and John B. Hickman brother of the
said Wm P. and Mary J. P. Avery
sisters of the said Wm P. Hickman
from childhood and that he knows
them to be the children of Mrs
Sarah Hickman and Wm A. Hickman
deceased.

C. M. Avery
Subscribed and sworn to before me
this 4th day of Sept 1896

G. W. St Clair
Notary Public

My Commission Expires
May 9th 1900

Argument.

Mr. P. Hickman et al

Department of the Interior
Commission to the five Civilized Tribes of
Indians

Before the Hon. Henry S. Dawes
Frank C. Armstrong A. S. McKennon
T. B. Cavinias and A. B. Montgomery
Composing said Committee
Argument of Pollan & Green
In the matter of the Applications of
Wm P. Hickman et al.

While we do not desire to make any
argument in these claims, we desire to
call the attention of this Hon Committee
to facts ^{that} these are revivals of an old
claim of Mrs Sarah Hickman, now
deceased, by her children. It will
be observed by the filing endorsement
on the old Affidavits of Donnell
and Colbert filed and made a
part of the testimony in these claims,
that the original claim of Mrs. Sarah Hickman
has been pending before the Choctaw Council
for a long time and it had not been acted
upon when withdrawn to be filed here.

Respectfully Submitted
by Pollan & Green Attys
for Applicants

Receipt for copies

Read this day in the matter of
claim for citizenship of W P Hickman
et al against Choctaw Nation papers
purporting to be copies as follows
Applications of W. P. Hickman J. B. Hick
man Mary J. P. Avery Dorah J. St.
Clair Evan A Hickman Alexander
W. Avery and affidavits of C. W. Avery
W P Hickman J. H. Hickman and J. B.
Hickman Jesse Riddle Josephine Hick
man Elizabeth Allen Andrew McGee
David Colburn Willy Johnson and
J. A. Donoh

Stuart Gordon Attorney,
Atty for Choctaw Nation

Applications of
N. P. Hickman
J. B. Hickman
Mary J. P. Army
Sarah J. St. Clair
Evan A. Hickman.

Alexandre W. Army
each to be filed sep-
arately and the testimony
herewith to be used in
support of each
claim separately

This package to be
Kept in tact

POOR ORIGINAL -
BEST AVAILABLE COPY

Motion -

By Mr. P. Nickman et al

Department of the Interior
Commission to the five Civilized Tribes of Indians
In the matter of the Application of
Wm P. Hickman, Jno B. Hickman, Mary G. P.
Avery, Sarah G. St. Clair, Evan A. Hickman
and Alexander W. Avery for Choctaw Citizenship

Comes now the Applicants herein
by their Attorneys Messrs Pollan & Green
and move that the Claims of the
said Wm P. Hickman, Jno B. Hickman
Mary G. P. Avery, Sarah G. St. Clair,
Evan A. Hickman and Alexander W.
Avery be Consolidated on the ground
that the Applicants herein are all
descended from a common Ancestry
to wit Mrs Sarah Hickman
nee Sarah McAdory (Choctaw name Cornie)
and the testimony used in support of each
claim is the same for all the others
Pollan & Green Atty
for Applicants
Cameron. J. T.

Department of the Interior
Commission to the Five Civilized Tribes of
Indian

For the matter of the application
of Wm D. Hickman, Geo D. Hickman
and Mary G. P. Avery nee Mary P.
Hickman for citizenship in the
Choctaw Nation of Indians

Personally appeared before me Wm E.
Green a Notary Public at Cameron
Indian Territory Jesse Riddle
who upon his oath states that he is per-
sonally acquainted with the said
Wm D. Hickman, Geo D. Hickman and
Mary G. P. Avery nee Mary P.
Hickman and that he knows
them to be the children of Sarah
Hickman that he was personally
acquainted with the said Sarah
Hickman in her life time that she
lived on this place ten or twelve years & that
her personal appearance and color
indicated the presence of Indian
blood, that she was regarded by all
her neighbors as a person having
Indian blood and that she enjoyed the rights &
privileges of a Choctaw Indian
during her life. I am 52 years
old and am a regularly enrolled
member of the Choctaw tribe of
Indians

Witness

Wm E. Green

Jesse Riddle
his mark

Subscribed and sworn to before me
this the 5th day of Sept 1896

Wm E. Green
Notary Public

Department of Interior
Commission to the Five Civilized Tribes of
Indians.

In the matter of the Appli-
cation of Wm P. Hickman for
Indian Citizenship in the Choctaw
Nation as a member of the
Choctaw Tribe of Indians

Personally appeared before me
G. W. Blair a notary Public
at Blaine Indian Territory
Mrs Elizabeth Allen: who upon
her oath states that she is Sixty three
years old that she lives at Ward
Choctaw Nation Indian Territory.
She further states that she was personally
acquainted with Sarah Hickman
the mother of the Applicant in this
Case and that she knew her before
she left the State of Mississippi
about 30 years, that her maiden
name was Sarah McAdams and
that she and her parents claimed
to be Choctaw Indians and were
recognized and considered by all
of their neighbors as Choctaw Indians
or persons having Choctaw blood.
Affiant further states that the said
Sarah Hickman nee Sarah McAdams

personal appearance indicated
the presence of Indian
blood and Affiant
~~Subscribed and sworn to~~
~~before me this the day~~ of
Sept 1896

FRAME 1

further states that she has
known the said Wm P. Hickman
and Geo B. Hickman brother of
said Wm P. Hickman and Mrs
Mary J. P. Avery nee Hickman
sister of said Wm P. Hickman
from their childhood and
knows that they are children
of the above said Sarah Hickman
nee Sarah McAdams dead

and sworn to before me
this the day of September 1896
G. W. Blair
Notary Public

nation as a member of the
Choctaw tribe of Indians

Personally appeared before me
G. W. Stclair a notary Public
at Blaine Indian Territory
Mrs Elizabeth Allen, who upon
her oath states that she is Sixty three
years old that she lives at Ward
Choctaw Nation Indian Territory.
She further states that she was personally
acquainted with Sarah Hickman
the mother of the Applicant in this
Case and that she knew her before
she left the State of Mississippi
about 30 years; that her Maiden
name was Sarah McAdory and
that she and her parents claimed
to be Choctaw Indians and were
recognized and considered by all
of their neighbors as Choctaw Indians
or persons having Choctaw blood.
Affiant further states that the said
Sarah Hickman nee Sarah McAdory's

personal appearance indicated
in the presence of Indian
blood And Affiant
~~Subscribed and sworn to~~
~~before me this the day~~ of
Sept 1896

Further states that she has
known the said Wm P. Hickman
and Geo D. Hickman brother of
said Wm P. Hickman and Mrs
Mary S. P. Avery nee Hickman
sisters of said Wm P. Hickman
from their childhood and
knows that they are children
of the above said Sarah Hickman
nee Sarah McAdory dead

Witnesses
S. H. Crisford & M. Avery

Elizabeth Allen

Subscribed and sworn to before me

This 4th day of September 1896

my commission

G. W. Stclair

expires May 9th 1900

Notary Public

275-
127
6/73

FRAME 2

Department of Interior
Commission to the five Civilized
tribes of Indians,

In the matter of the
application of Wm. P. Hickman
for Indian Citizen ship in
the Choctaw Nation as a
member of the Choctaw tribe
of Indians

Personally appeared before
me a notary Public at Toccoa
Indian Territory, Mrs Josephine
Hickman who upon her
oath states that she is 59 years
old and that she lives at
Toccoa in Choctaw Nation.

She further states that
she was personally acquainted
with Sarah Hickman the
mother of the applicant in
this case, and that she knew
her before she left the state
of Mississippi about 40 years
ago, that her maiden name
was Sarah M. Adoy and that
she claimed to be Choctaw
Indian. And the Affiant further

states that she has known
the said Wm. P. Hickman and
Geo. B. Hickman brother of Wm. P.
Hickman and Mrs Mary J. P.
Rover nee Hickman from their
child hood and know that
they are children of the
above Sarah Hickman nee
Sarah M. Adoy and that the
above named children have the
appearance of Indian

FRAME 1

Josephine Hickman -

Sworn to and Subscribed
before me the undersigned
Notary Public this 4 day
of Sep 1896

John H. Hinton
Notary Public

Comm. Exp. 4-6-98

In the matter of the
application of Wm. P. Hickman
for Indian Citizen ship in
the Choctaw Nation as a
member of the Choctaw tribe
of Indians

Personally appeared before
me a Notary Public at Toccoa
Indian Territory, Mrs. Josephine
Hickman who upon her
oath states that she is 59 years
old and that she lives at
Toccoa in the Choctaw Nation.

She further states that
she was personally acquainted
with Sarah Hickman the
mother of the applicant in
this case, and that she knew
her before she left the state
of Mississippi about 40 years
ago. That her maiden name
was Sarah M. Adory and that
she claimed to be Choctaw
Indian. And the Affiant further

states that she has known
the said Wm. P. Hickman and
Jno. B. Hickman brother of Wm. P.
Hickman and Mrs. Mary J. P.
Dovey nee Hickman from their
child hood and know that
they are children of the
above Sarah Hickman nee
Sarah M. Adory and that the
above named children have the
appearance of Indian.

Josephine Hickman -

Sworn to and Subscribed
before me the undersigned
Notary Public, this 4 day
of Sep 1896

John H. Hinton
Notary Public

Com. Ex. 4-6-98

FRAME 2

Application
Mrs. Sarah Hickman
for citizen ship -
in the Choctaw Nation.

Deposition of -
Andrew McRae & et. als.

Filed Oct 5
1877.
Thompson McKim
National Secretary

1362
3757

W.P. Hickman ^{et al}
vs
Choctaw Nation

Repeating

Pallen & Green
attys
Cameron 27

POOR ORIGINAL -
BEST AVAILABLE COPY

United States of America } § 52.
Western District of Arkansas }

In the matter of the application of Mrs.
Sarah Hickman for citizenship in the
Choctaw Nation.

Now on this the 30th day of November
A.D. 1875. Personally appeared before me
the undersigned Stephen Wheeler a com-
missioner of the United States in and for
the Western District of Arkansas, at my
office in Fort Smith Arkansas, Andrew
McFee who after being by me
sworn the truth to speak and nothing
but the truth, deposeseth and says as
follows to wit: My age is 86 years
my residence is in Lambert Co. in the
Choctaw Nation I.T. and by occupation
a farmer and stock raiser. And I
further state that I am well ac-
quainted with Mrs. Sarah Hickman and have
been for the period of fifty years
well acquainted with her
and the father and mother
of said Sarah Hickman the applicant.
and was acquainted with the
said William A. Hickman and Callie Hickman
and the
parents of said Sarah Hickman the ap-
-licant in the Old Nation in
-a long time before the removal of the Choctaw
from the Old Nation. and before the birth

POOR ORIGINAL -
BEST AVAILABLE COPY

of Sarah Nickman the said applicant
I further state and know that
William H. Nickman

of Sarah Nickman said applicant
Choctaw Indians and as such
recognized by the Choctaw Indians
and that they resided at the time
of the birth of said Sarah Nickman the
applicant in the limits of the Choctaw
Nation and were known by
the Indian name of ~~John~~ Carrie
and further that I am not of kin
to the applicant and have no beneficial
interest in this application.

Witnesses to signature

J. K. Pratt,

F. G. Johnson

Subscribed and

sworn to before me

this the 30th day of November 1895.

Stephen Wheeler

U.S. Commissioner

Also at the same time and place
as above stated personally came David C. C. C.
after being by me duly sworn the
truth to speak and nothing but the
truth to do and says that his age
is sixty years and that he is a

POOR ORIGINAL -
BEST AVAILABLE COPY

resident citizen of Samboys county
in the Choctaw nation and by
occupation a farmer. and in acq-
-ainted with Mrs Sarah Hixson the
applicant as above stated for citizen-
ship in the Choctaw Nation of Indians
and having heard the deposition
of the above applicant Andrew Mike
read that he knows the statements
therein made to be facts and to be
true and that he first became
acquainted with the parents of Mrs
Sarah Hixson the applicants in the old
Choctaw Nation about the year 1815
and knows that they were Indians of
the Choctaw tribe and ^{by marriage to birth} ~~by marriage to birth~~
were so recognized in the old Na-
- and that their Indian name
was ~~Carrie~~ Corrie and he further
states that he is not of kin to the applicant
and has no pecuniary interest in the
application

attest to signature } David ^{his} Colbert
man

Subscribed and sworn to before me this
the 30th day of November 1875

Stephen H. Wheeler

POOR ORIGINAL -
BEST AVAILABLE COPY

And also he orally came
at the same place and time Wiley Johnson
a resident of Pickens county in the
Cherokee Nation. And Stephen
Leonard a resident of Skullyville
county in the Cherokee nation who
after being by me duly sworn the truth
to speak and nothing but the truth
each for him self says that they
are acquainted with the applicants
to wit Andrew McFee and David
Colbert and have been for the period
of five years and that they are
persons of credit and good character
and are entitled to credit and
further that they have no pecuniary
interest in this application

Wiley Johnson
S. A. Leonard
Subscribed and sworn to before me
this the 30th day of November 1875
and I certify that I am acquainted
with the above applicants and that
they are entitled to credit. In witness
whereof I have hereunto subscribed
my name and affixed my
seal of office.
Done at Fort Smith Ark. Stephen Wheeler
U.S. Commissioner

POOR ORIGINAL -
BEST AVAILABLE COPY

coming in the enclosure and
after being by me duly sworn the truth
to speak and nothing but the truth
each for him self says that they
are acquainted with the applicant

Robert McAdory + Susan Fox were married
in the old Nation and are the Parents of
Sarah Hickman the applicant herein

POOR ORIGINAL -
BEST AVAILABLE COPY

Department of Interior
Commission to the five Civilised
Tribes of Indians

In the matter of
the Application of Mrs P Hickman
for Indian Citizenship in
the Choctaw Nation as a
Member of the Choctaw
Tribe of Indians

Personally appeared
before me G. N. St Clair a Notary
Public at Blaine Indian Terri-
tory Mrs Milbury Jane Bell
who upon her oath states that
she is 49 years old and that
she lives at ~~Bergamen~~ Choctaw
Nation Indian Territory
She further states that she
was personally acquainted

With Sarah Hickman the
mother of the Applicant-
in this case and that she
knew her before she left the
State of Mississippi about ~~40~~
40 years that her maiden
name was Sarah McAdory
and that she and her parents
claimed to be Choctaw Indians
and were recognised and
considered by all the neigh-
bors as Choctaw Indians
or persons having Choctaw
blood

Affiant further states that-
the said Sarah Hickman
nee Sarah McAdory personal
appearance indicated the pres-
ence of Indian blood
and Affiant further states
that she has known the said

Wm P Hickman And John
B Hickman brother of said
Wm P Hickman And Mrs
Mary J. P. Avery ne Hickman
sister of said Wm P Hickman
from their childhood and
knows that they are children
of the above said Sarah
Hickman ne Sarah W. Adair
Millberry Jane Bell

Subscribed And Sworn to before
me this the 4th day of September 1896

G. W. St Clair
Notary Public
My commission
Expires May 9th 1900.

End

1896 choc 1363

1896 choc 1363

2006 #792
off date 1363

Mahola Humphrey
vs

Cherokee Nation

Filed Sept 9/12/84

A. S. McKinnon
Comr

Revised

APPLICATION FOR CITIZENSHIP.

United States of America, Indian Territory, ss.

THE HON. HENRY L. DAWES, CHAIRMAN DAWES COMMISSION, VINITA, I. T.

Your petitioner, the undersigned, being duly sworn on her oath, respectfully states that her name is Mahota Humphrey, age 25 years. post office address Rollinger Texas, and that she is entitled by blood to citizenship in the Indian Territory for the following reasons: My father James J. Coyle of Missouri is a Choctaw by blood. his mother being Mary Jane Brashers who married James Coyle. The sister Mary Jane Brashers being the daughter of Joseph Brashers a Choctaw Indian by blood, as supported by the affidavits of Richard Brashers & Saml P. Perry, said affidavits being on file & attached to James J. Coyle's application to which reference is given & the same is her mother's father's application

That my family and relationship consists of the following named persons: My husband, Chas. P. Humphrey age 36 years, and my children, as follows:
Cliffie Coyle Humphrey age 2 yrs

And respectfully asks to be enrolled, together with each member of my family, as a member of the Choctaw Indians in the Indian Territory.

Your petitioner states the above facts as the lawful grounds of my application for citizenship in the said Choctaw Nation, and prays that my claim may be investigated by your honorable body and that she be adjudged to be a citizen of said Choctaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties made with the said Nation of Indians.

WITNESS my hand, on this 22 day of August 1896.

Witnesses:

Mahota Humphrey

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the 22 day of August 1896, and I certify that the said Mahota Humphrey is a responsible and creditable person worthy of belief, and that I am not interested in the matter to which this Affidavit relates.

WITNESS my hand and seal of office on this 22nd day of Aug 1896.

W. R. Speiser

Notary Public.

Rundels County Texas

File No.

Office No.

McLota Humphrey

APPLICATION FOR CITIZENSHIP.

FILED BY

Ind. Ter.

Attorneys for Applicant.

To The Hon King R Jones Chairman
and Gent Comprising the same Commission
Gent

In, wanting to give my application for
Citizenship in the Cherokee Nation & I
would respectfully refer you to James
J. Cagle application, said James J. Cagle
being my father, and from him I trace
my Indian blood, he being a son of
Mary Jane Broshers, daughter of Joseph
Broshers, a Cherokee Indian, as supported
by the affidavits of Richard Broshers &
Saml P Perry, said affidavits accompanying &
attached to said James J. Cagle's application
to which reference is given & is being made
a part of this my application.

Respectfully Submitted
Mahota Humphrey

Chickosaw Nation & T. } Before me the undersigned
Pekans County } Justice a Notary Public
in & for Pekans County & T.

Post Master at Jansen & T. who being by
me duly sworn on his oath says that he
has examined the original papers & copies thereof of
Mr. John Campbell making application for
Citizenship in the Chickosaw Nation and certifies that
they are true & correct copies of the original
of the same. Affidavits and other evidence
submitted to the Hon. James C. Commissioner of
Tennessee & T. & that he has this day forwarded said
original papers to the Hon. Jeff. C. Brown Gov
or Marshal Chief of the Chickosaw Nation of
Tennessee & T. in Registered package No 43

Subscribed & sworn to before me } J. M. Middleton
on this Aug 31, '96 }
J. A. Thompson }
Notary Public }

Chukson Notar 17 } Before me the undersigned
Putnam Court, 3 assistant, a Notary Public in & for
Putnam County, appeared James D. Cogle
who being by me duly sworn, on his oath says
that Matilda Humphrey is his daughter, and
Married Chas P. Humphrey, now living in
Bellingham Records Co. files
I am & subscribe to before me James D. Cogle
This day 27/96
At Thompson
Notary Public }

NO.....

—CLAIM OF—

.....Mahata Humphrey.....

For Choctaw Citizenship.

ANSWER.

freed Oct. 9, 1896.

H. M. Jansen
Suz

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mahata Hunphrey.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

There is no evidence to show that applicant is of Choctaw Indian blood.

Choctaw Nation
By Stuart Gordon Hailley
Its Attorney.

End

1896 Choc 1364

1896 choc 1364

No. 1364

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

H. J. Humphrey & Co.

VS.

Chowan,

Nation.

Received and filed this

day of

189.

Secretary.

RECTOR JOE POINT FORT SMITH.

VS. James Earl Ray Nation, as follows:

Application

1000000

[illegible]

WITNESS my hand and official seal at.

this the day of

189

189
J. B. Blower

No 1364
J. G. Humphrey & Co
Choctaw Nation

To The Honorable James Commission.
Fort Smith, Ark.

Sir:

You are hereby notified that
has taken an appeal to this court from the decision rendered by you
on the application of _____
as The Choctaw Nation, for enrollment as a citizen of said Nation.
You will at the earliest time practicable, transmit
to this court a transcript of all the entries on your books relating
thereto, together with the original papers, depositions and testimony
therein, and your decision on said application.
Yours very respectfully.

Very truly,
J. G. Humphrey & Co

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
O. R. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., Feb 1st 1897.

To The Honorable Dawes Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that G. J. Humphrey et al.
has taken an appeal to this court from the decision rendered by you
on the application of G. J. Humphrey, et al. vs. The Choctaw Nation
Humphrey, L. M. Humphrey, L. M. Humphrey, L. M. Humphrey
vs The Choctaw Nation, for enrollment as a citizen of said Nation.

You will at the earliest time practicable, transmit
to this court a transcript of all the entries on your docket relating
thereto, together with the original papers, depositions and testimony
therein, and your decision on said application.

Yours very respectfully.

P. B. Stoner
Clerk.

End

1896 choc 1365

missing


1896 choc 1365

End

1896 Choc 1366

1896 Choc 1366

✓




South McAlester, I. . Sept. 7th. 1886

Received this day papers purporting to be copies in the
claim of Sophia Mary Hancock ~~for~~ Choctaw citizenship before the
Dawes Commission as follows:

Genealogy of Sophia Mary Hancock;..
Application of Sophia Mary Hancock;
Certified copy of marriage certificate and affidavit
of C.O. Barton;
Affidavit of D.C. Smith and W.W. Thompson;
Marriage certificate of William M. Hancock and Mary
Jane West (Certified copy)
Affidavit of C.R. Bailey and J.S. Thompson;
Affidavit David McKnight Spain;
Affidavit C.R. Bailey and J.S. Thompson;
Affidavit C.R. Bailey and J.S. Thompson;
Affidavit David McKnight Spain;
Affidavit Sophia Mary Hancock.

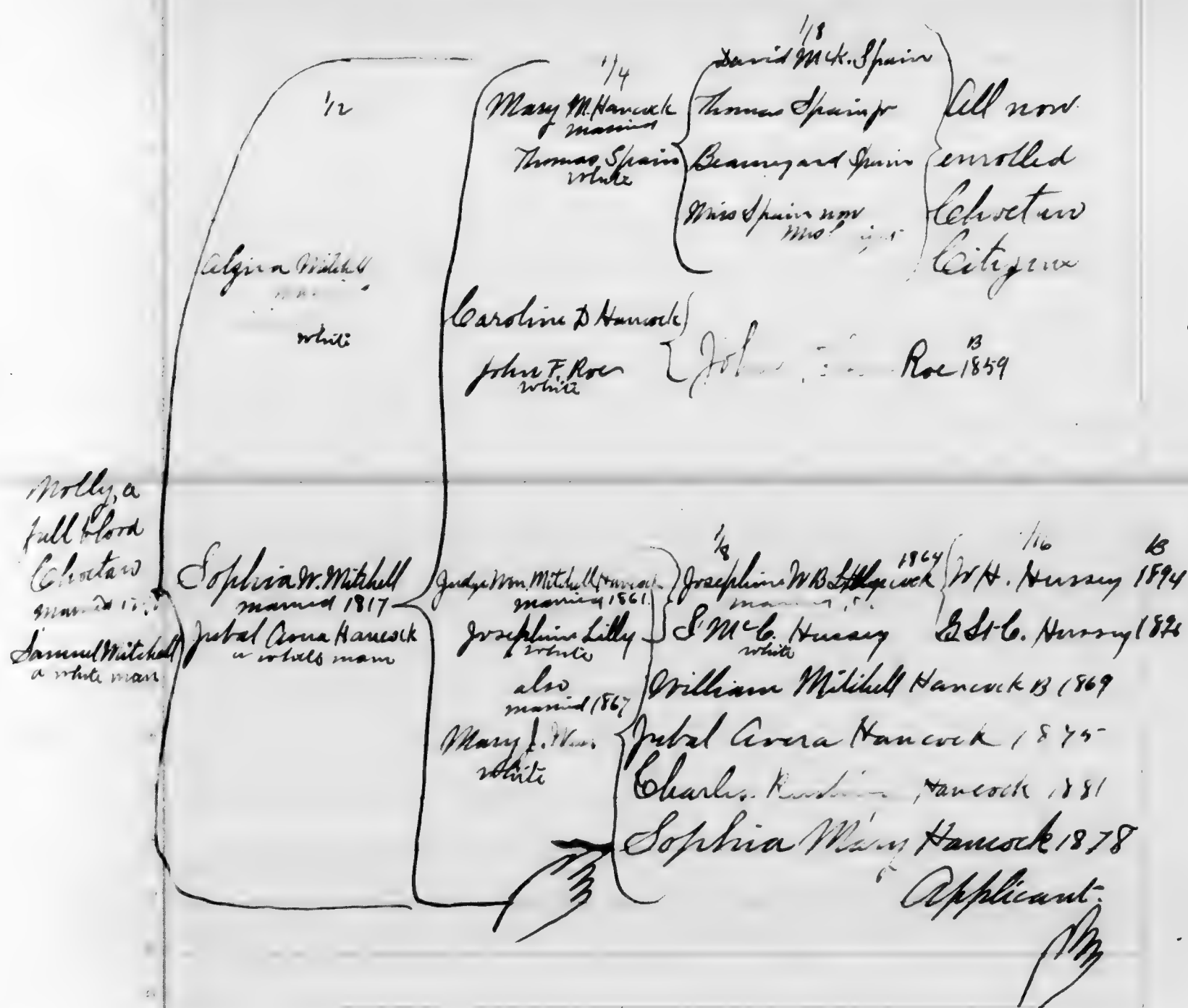
Stewart Gordon & Stanley
Attys for Choctaw Nation



Application
for
Choctaw
Enrollment re.
Sophia Mary
Hancock.

B. O. Barton.
Atty. for Applicant
Pauls Valley
I. T.

Genealogy of Sophia Mary Hancock.



Application for Citizenship
United States of America } ss
Indian Territory.

The Honorable Henry L. Dawes
Chairman of Dawes Commission
Vincennes Indian Territory.

Your petitioner the undersigned being duly sworn states
she is a lineal descendant of Molly a full blood Choctaw woman
and Samuel Mitchell a white man that her grandmother
Sophia Mitchell was recognized in the treaty of Dancing Rabbit
Creek in Miss with the Choctaw Indians as the daughter
of Molly and Samuel Mitchell Sec 7 Statutes of U.S. by Little
and Brown endorsed by act of Congress Sec 2.
Approved Aug 8 1846

I am now Sophia Mary Hancock
Mendocino - I desire to be recognized as a citizen of the
privileges of citizenship in the Choctaw Indian Nation and I
prays that I may be so called and citizen of the Choctaw
Tribe.

Applicant testifies that she is a great granddaughter of Sam.
Mitchell, a full blood white man, and Molly, a full blood Choctaw woman, who
were married in the old Choctaw River about the year 1798
that she is a grand daughter of J B Hancock a full blood white man, and
Sophia Mitchell, daughter of the said Sam. Mitchell, an only child, as
aforesaid, who were duly and legally married on the 10th day of August,
1817 in the county of White, State of Tennessee, as shown by their mar-
riage certificate marked Exhibit "A" and made a part of this application.
That she is a daughter of J B Hancock and Mary Jane West, a full blood
white woman who were duly and legally married on the 2nd day of October
1867 in the county of Clarke, State of Mississippi as shown by their
marriage certificate marked Exhibit "B" and made a part of this application.

BARTON & LOGSDON,
ATTORNEYS-AT-LAW.
P. O. BOX 205

C. O. BARTON
A. C. LOGSDON

Affidavit Southern District, I.T.

This day appeared before me C.O. Barton who being duly sworn state that he is an attorney of the Pauls Valley, Bar and represents *Sophia May Hancock* who is applying for enrollment as a Choctaw Indian citizen; That he has made diligent effort to secure certified copies of the marriage certificate of Jubal B Hancock and Sophia Mitchell and has wholly failed to secure but one of said certificates which was made on the 12 day of September 1857 and which he has filed the same day of the filing hereof with the papers and applications for citizenship and enrollment of Mrs. Josephine Willie Blanche Hussey Nee Josephine W.B. Hancock, and he herewith files in lieu of said certified marriage certificate a copy thereof made by him which is as follows; State of Tennessee White County; to any regular minister of the Gospel having the care of souls or any Justice of the Peace these are to authorize you or either of you to solemnize the rites of matrimony between Mr. Jubal B. Hancock and Miss Sophia W. Mitchell of your county agreeably to the direction of an act of Assembly in such cases made and provided, Provided always that the said Miss Sophia W. Mitchell be an actual resident in the county, otherwise these shall be null and void and shall not be accounted any license or authority to you or either of you for the purposes aforesaid more than the same had never been prayed or granted & etc. Given at the Clerks office of said county court this 28th day of August 1817. Jacob A. Lane clerk of White County Court. The rites of matrimony were celebrated between the within pair at the house of Major William Mitchell in the county of White on the 28th day of August 1817 in the presence of 50 respectable witnesses by me, Turner Lane, Justice of the Peace. (seal). State of Tennessee, White County. I George Dibrell, Clerk of White County Court hereby certify that the above is a true and perfect copy of the original marriage license of Jubal B. Hancock and Sophia W. Mitchell together with the return of the magistrate thereon all of which now are upon record in my office. I further certify at the date of said marriage Turner Lane was an acting Justice of the Peace in and for said county. In testimony whereof I have hereunto set my hand and affixed the seal of said court in Sparta, this 12th day of September A.D. 1857. G.G. Dibrell, Clerk of White County Court.

Southern District, I.T. I hereby certify the above and foregoing is a true and perfect copy of the instrument of writing above set forth and that all the facts related by me are true.

Subscribed and sworn to before me this the 27th day of August 1896.

Notary Public Southern District.

State of Mississippi)
Lauderdale County)

Personally appeared before me W. D. Cameron,
Clerk of the Circuit Court of said County and State, *D. C. Cameron*
and *W. D. Thompson* personally known to me as credible persons who
state on oath that the following facts are true to the best of their
knowledge and belief to wit: - That Mrs. Caroline D. Roe, nee, Miss Caroline
D. Hancock, and Judge William M. Hancock, were the children born in law-
ful wedlock of their alleged parents, Jubal B. Hancock and Sophia
Mitchell, and that they were so regarded in the communities where ever
they have lived, and that they by reason of their birth are of mixed
descent having three (3/4) fourths, white, and one (1/4) fourth Indian
blood.

Signed and acknowledged in))

triplicate from this the-))

27-day of August 1896.))

W. D. Cameron Clerk.))

D. C. Cameron
W. D. Thompson

Exhibit # 13

-22-

place of residence within six miles after the celebration of a marriage, and the same shall be duly recorded.

This is to certify that the above is a true and correct copy of the original.

T. D. West, Jr.

Clerk of Probate Court.

Witness my hand and seal.

On this 11th day of June, 1907, I have compared the above with the original and find it to be a true and correct copy of the original.

This is to certify that the above is a true and correct copy of the original.

T. D. West, Jr.

Clerk of Probate Court.

Witness my hand and seal.

On this 11th day of June, 1907,

I have compared the above with the original and find it to be a true and correct copy of the original.

On this 11th day of June, 1907, I have compared the above with the original and find it to be a true and correct copy of the original. I have also compared the same with the original and find it to be a true and correct copy of the original. I have also compared the same with the original and find it to be a true and correct copy of the original.

Witness my hand and seal of office this the 11th day of June, 1907.

In duplicate for, B. H. Donald
Circuit Clerk.

STATE OF MISSISSIPPI
Clarke County.

Personally appeared before me, C.C. Ferrell, Clerk of the
Chancery Court of said County and State, *C.R. Bailey*
and *J.S. Thompson* who state upon oath that the follow-
ing facts are true as stated, to-wit:-

That Wm. M. Hancock was duly and legally wedded to Josa-
phine Lilly on the 16th day of December, 1861, in the City of
New Orleans, Parish of Orleans, and State of Louisiana, and that
issue
from this marriage there resulted as follows, to-wit:- A
daughter, born on the ^{19th} day of ^{May} ~~August~~, 1864,
County of Clarke and State of *Miss.*, whose
name is Josaphine Willie Branch Hancock, now Mrs. S.M. Hussey,
and whose post office address is now New Orleans, Louisiana.

Affiants further state that Josaphine Hancock, nee Miss Jo-
saphine Lilly, the wife of W.M. Hancock, now deceased, departed
this life on to-wit:- the 13 day of ~~Aug~~ 1864, in the
County of Clarke and State of Mississippi, and that afterwards
to-wit:- on the 3rd day of December, 1867, in the County of
Clarke and State of Mississippi, he the said W.M. Hancock was
duly and legally married to one Miss Mary Jane West, and that
from this marriage of the said W.M. Hancock and his wife Mary
Jane West aforesaid, there resulted issue as follows, to-wit:-
Wm. Mitchell Hancock Jr., born in Quitman, Clarke County, Miss.,
on the 13th day of June, A.D. 1869; Jubal Avera Hancock, born
in Quitman, Clarke County, Mississippi, on the 28th day of
June, 1875; Charles Rushing Hancock, born in Quitman, Clarke
County, Mississippi, on the 27th day of May, 1881, said parties
being the boys of the said W.M. Hancock, and his wife Mary
Jane West, aforesaid; and a daughter named Sophia Mary Han-

(2)

cock, born in Quitman, Clarke County, Miss., on to wit:- January
1st, 1878, and that their present post office address is Merid-
ian, Lauderdale County, Mississippi.

Sworn to and subscribed
before me this the 15 day
of August, A. D. 1896. *in presence*
from *[Signature]*
Clerk

[Signature]
[Signature]

STATE OF MISSISSIPPI,
Clarke County.

Personally appeared before me, C. C. Ferrell, Clerk of
the Chancery Court of Clarke County, and State of Mississippi
[Signature] who after being by me duly
sworn depose and says that he knows the above affiants and
that they are in every sense credible ~~and~~ witnesses and
worthy of belief.

Sworn and subscribed to
this 15 day of Aug., 1896.
in presence of
[Signature]
Clerk

[Signature]
Circuit Clerk

BARTON & LOGSDON,
ATTORNEYS-AT-LAW
P. O. BOX 285

C. O. BARTON,
B. C. LOGSDON

Memorandum, Southern District, U.S.C.

This day personally appeared before me David McKnight Swain, a
Notary Public, duly sworn, states that his best friend and brother in law
is Mr. Hill, I.T., that he is the nephew of Judge William H. Hancock and
his wife, Caroline Fox of Miss. both now deceased, that they were the mother
and father respectively of your affiant's mother, Mrs. Mary McSpain, nee
Miss Mary H. Hancock; That the said Judge William H. Hancock, Esq., re-
sided for many years in the State of Miss. and the said Caroline
Hancock were the son and daughters of Sophia Mitchell nee Jurell
Hancock formerly of Miss. now deceased.

Witness my hand this 10th day of August 1890.

David M. C. Swain

Subscribed and sworn to before me this 10th day of August 1890.

C. O. Barton

Notary Public Southern District, U.S.C.

POOR ORIGINAL -
BEST AVAILABLE COPY

STATE OF MISSISSIPPI,
Clarke County.

Personally appeared before me C.C.Ferrell, Chancery
Clerk of Clarke County and said State, John J. Thompson and C. R.
Bailey, personally known to me as creditable persons, who say upon
oath that they know Mrs. Mary J. Hancock (nee Miss Mary J. West) and
that she was the legally wedded wife of Wm. M. Hancock, recently
deceased, and that the following named children were born to them
in wedlock: Wm. M. Hancock, Jubal A. Hancock, Sophia Hancock and C. R.
Hancock, which children are now living.

Sworn and subscribed to this
in witness whereof
the 15 day of August, 1896.

C. C. Ferrell
Clerk

C. R. Bailey
J. J. Thompson

7.

STATE OF MISSISSIPPI,
Clarke County.

Personally appeared before me, C. C. Ferrell *clerk of the*
Chancery Court of said County and state,
C. R. Bailey and *J. S. Thompson* who say upon oath
that the following named parties, Wm. H., Jubal A., Sophia H., Chas. R.
and Josephine W. B. Hancock are personally known to them, and that
generally
they are known and recognized as the children, born in lawful
wedlock, of their respectively alleged parents in the communities
wherever they have lived.

Sworn and subscribed to this
the 15th day of August, 1894.
in testimony whereof
C. C. Ferrell
Clerk.

C. R. Bailey
J. S. Thompson

AFFIDAVIT

Chickasaw Nation, I.T.

This day personally appeared before me David McKnight Spain and Thomas Spain to me personally well known and reputed and say :• We live near White Road Hill ,Chickasaw Nation, I.T. We are citizens of the Choctaw Tribe of Indians , duly enrolled and draw our annuities by virtue of such citizenship, having been admitted to citizenship by an act of the General Council of the Choctaw Nation by Bill No. 39 , an act entitled : An Act to confer citizenship upon Mary H. Spain and others, which became a law by its own limitation Oct. 31 st. 1877 . We know Mrs. Sophia Hancock was the daughter of Samuel Mitchell and Lillie , a full blood Choctaw Woman. She was of Choctaw blood being one half Choctaw and one half white blood. She was enrolled and drew her annuity as a Choctaw citizen. She was our Grandmother, being the mother of our mother Mrs. Mary H. Spain, formerly Miss Mary H. Hancock. We hold our citizenship in said Choctaw Nation by virtue of this relationship to said Mrs. Sophia Hancock afterwards Mrs. Sophia Tyler Mrs. Tyler nee Mrs. Sophia Mitchell also known as Washita about the year 1878. We have no interest in the claims of citizenship of the heirs of Mrs. Caroline nee and Junge William H. Hancock.

Witness our hands this the 21 day of August 1896.

David McKnight Spain

Subscribed and sworn to before me this 21 day of August 1896..

C. O. Barton

Notary Public Southern District, I.T.

Zack Gardner and *Emma Fisher* Choctaw citizens by blood hereby certify that David McKnight Spain and Thomas Spain are reputable and credible Choctaw citizens of high standing and character.

Zack Gardner

Emma Fisher

Subscribed and sworn to before me this 21 day of August 1896.

C. O. Barton

Notary Public Southern District, I.T.

POOR ORIGINAL -
BEST AVAILABLE COPY

H.

STATE OF MISSISSIPPI,
LAUDERDALE COUNTY.

Personally appeared before me, B.V. White, Clerk of
the Chancery Court of said County and State Sophia Mary Hancock
who says upon oath that she is the grand daughter of Mrs. Sophia
Tyner, ^{formerly} ~~nee~~ Mrs. Sophia Hancock, nee Miss Sophia Mitchell to the best
of her knowledge and belief. Sophia Mary Hancock.

Sworn to and acknowledged in triplicate

from this the 7th day of Aug. A.D. 1896.

B.V. White Clerk.

No.....

—CLAIM OF—

Sophia Hancock
FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct 7, 1896.
Wm. B. Conway
Secy

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Sophia Hancock

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The applicants herein live in the State of Mississippi; have never lived in the Indian Territory, and show no intention of leaving said Territory their home.

The evidence shows that applicants have less than one-eighth Choctaw Indian blood.

Sophia Hancock.

By

The Choctaw Nation
Stewart Gordon & Haily
Its Attorneys.

End

1896 Choc 1367

1896 Choc 1367

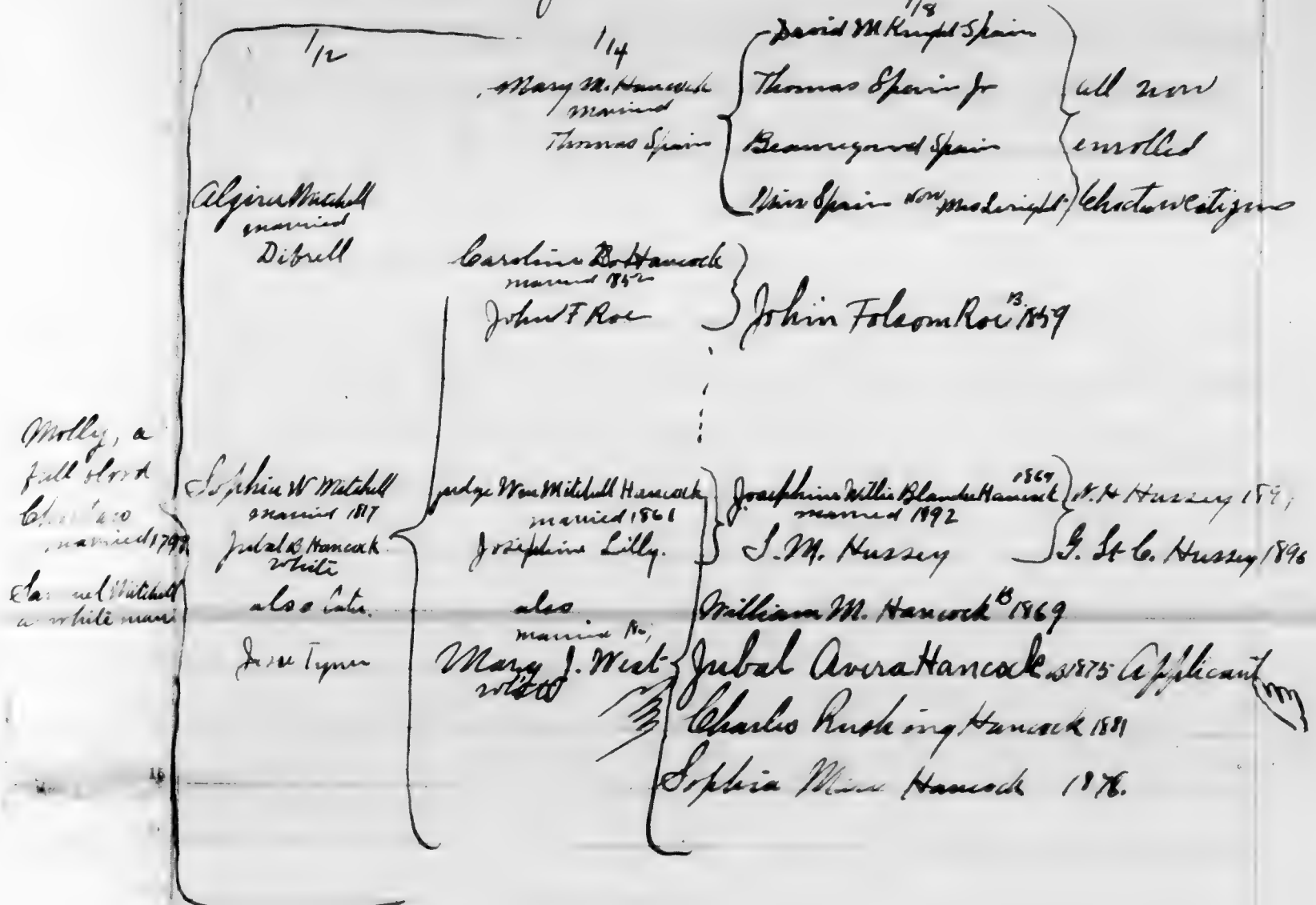
So. McAlester, I..T Sept. 7th. 1896.

Received this day papers purporting to be copies in the
claim of Jubal Avera Hancock for Choctaw citizenship before the
Dawes Commission.

Genealogy of Jubal Avery Hancock;
Application of Jubal Avery Hancock;
Certified copy of marriage certificate and affidavit
of C.O. Barton;
Affidavit of D.C. Smith and W.W. Thompson;
Certified copy of marriage certificate, William Hancock
and Mary Jane West;
Affidavit of David McKnight Spain;
Affidavit C.R. Bailey and J.S. Thompson;
Affidavit of C.R. Bailey and J.S. Thompson;
Affidavit of David McKnight Spain and Thomas Spain;
Affidavit Jubal Avery Hancock;

Stuart Gordon & Healy
attys for Choctaw nation

Genealogy of Jubal Anna Hansch,



implication sur l'impact de la

(not a true gemma)

1) n_1 and n_2 are the number of

- 10. 10. 1968 - 1968

C. communis L. *Gymn. communis*, L.

[illegible]

Your applicant *Charles A. Lumsden* a citizen of
Nebraska respectfully applies for the rights
 and privileges of citizenship in the Choctaw Nation, and res-
 pectfully prays that his name be enrolled as a citizen of the said
 Choctaw Tribe.

Applicant was born at _____ son of _____ and
_____ Mitchell, a full blood white man, and Molly _____
the old hootar Pies in the
woman, who were lawfully married in _____ State of _____
_____ and that he is a grand son of J.M. Hancock, a full blood white
man and Corliea Mitchell, daughter of the said _____ Mitchell and Molly
his wife as aforesaid, who were lawfully married on the _____ day
of August, 1877 in the County of _____ State of Tennessee
as shown by their marriage certificate which exhibit _____ and
make a part of this application That he is a son of W.M. Hancock
and Mary Jane West, a full blood white woman, who were lawfully and le-
gally married on the 3rd day of December, 1867, in the County of _____
State of Mississippi, as shown by their marriage certifi-

(2)

date marked Exhibit "A" and made a part of this application.

Applicant further states that he was born in the County of
Clarke, State of Mississippi, on the 24 day of June 1875, and that
he is of mixed descent, having one eighth (1/8) of Choctaw and seven
eighths (7/8) of white blood, and that he has never been
made application for citizenship in the United States.

Applicant further states that he is of the Choctaw Nation,
and that he is of the Choctaw Nation; that he is of the
Choctaw Nation, and that he is of the Choctaw Nation.
Applicant further states that he is of the Choctaw Nation,
and that he is of the Choctaw Nation.

Applicant further states that he is of the Choctaw Nation,
and that he is of the Choctaw Nation.
Applicant further states that he is of the Choctaw Nation,
and that he is of the Choctaw Nation.

Richard M. H. H. H.

STATE OF MISSISSIPPI,
Clarke County.

personally appeared before me, O. A. H. H., Clerk of
the County Court of Clarke County, Richard M. H. H.,
WHO STATES that the facts contained in the foregoing affidavit
are true and correct and acknowledges that he is of the Choctaw
Nation.

Seen to and subscribed this
the 17 day of Aug. A.D. 1896.
in his presence
O. A. H. H.
Clerk

BARTON & LOGSDON,
ATTORNEYS-AT-LAW,
P. O. BOX 222

C. O. BARTON
B. C. LOGSDON

SPARTA, W.V.

Southern District, I.T.

This day personally appeared before me C.O. Barton who being duly sworn, states that he is an attorney of the Pauls Valley bar and represents ~~William Joseph Hussey~~ ^{William Joseph Hussey} who is applying for enrollment as a free-
born Indian Citizen; that he has made diligent effort to secure certi-
fied copies of the marriage certificate of J. H. Hancock and Miss Sophia W. Mitchell and has wholly failed to procure the same certificate

which was made on the 12 day of September 1887 and which he has this day filed the same day of the filing hereof with the papers and applicati-
ons for citizenship and enrollment of Mrs. Josephine Willie Macon
Hussey, and he herewith files in lieu of said certified marriage certifi-
cate a copy thereof made by him, which is as follows; State of Ten-
nessee White County; To any regular minister of the Gospel having the
care of souls or any Justice of the peace these are to authorize you
or either of you to solemnize the rites of matrimony between Mr. J. H.
Hancock and Miss Sophia W. Mitchell of your county agreeably to the
direction of an act of Assembly in such cases made and provided. Pro-
vided always that the said Miss Sophia W. Mitchell being ~~an~~ actual resi-
dent in the county otherwise these shall be null and void and shall
not be accounted any license or authority to you or either of you for
the purposes aforesaid more than the said had never been prayed for
granted and etc. Given at the clerk's office of said county court this
28th day of August 1817. Jacob A. Lane, Clerk of White County Court.

The rites of matrimony were celebrated between the within pair at
the house of Mr. William Mitchell in the county of White on the 28th
day of August 1817 in the presence of 50 respectable witnesses by
Turner Lane, Justice of the Peace (seal)

State of Tennessee, White
County I George G. Gibrell clerk of White county court hereby certify
that the above is a true and perfect copy of the original marriage li-
cense of J. H. Hancock and Sophia W. Mitchell together with the re-
turn of the magistrate thereon all of which now appears upon file and
upon record in my office. I further certify that at the date of said
marriage Turner Lane was an acting Justice of the Peace in the said
county. In testimony whereof I have hereunto set my hand and affixed
the seal of said court in Sparta this 12 day of September A.D. 1887
G. G. Gibrell clerk of White County Court. *C. O. Barton*

Southern District, I.T. I hereby certify the above and foregoing is
a true and perfect copy of the instrument-of-writing above set forth.

Subscribed and sworn to before me this 27th day of August 1896-----

C. M. Barnard

Notare Public Southern District, I.T.

State of Mississippi)
)
County of Lauderdale)

Personally appeared before me, J. C. Smith,
Clerk of the Circuit Court of said county and State, J. C. Smith
and W. W. Thompson personally known to me as credible persons who
swore or said that the following facts are true to the best of their
knowledge and belief to wit: That Mrs Caroline D. Roe, nee Miss Caroline
H. Hancock, and Judge William M. Hancock, were the children born in lawful
wedlock of their alleged parents, Jubal H. Hancock, and Sophia Mitchell
and that they were so regarded in the communities where ever they
have lived, and that by reason of their birth that they are of legal
descent having three (3/4) fourths white and one (1/4) fourth Indian

blood.

Signed and acknowledged)

in duplicate from this)

the 27 day of August)

1883.)

W. W. Thompson clerk.

D. C. Smith
W. W. Thompson

"Exhibit #13"

THE STATE OF MISSISSIPPI,
CLARKE COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That
we, Wm. M. Hancock and Wm. McDonald, are held and firmly bound
unto the State of Mississippi in the sum of Two Hundred Dol-
lars, lawful money of the State, to which payment well and truly
to be made, we bind ourselves, our heirs, executors and adminis-
trators, each and every one of us and them jointly and several-
ly, firmly by these presents.

Sealed with our seals and dated this the Third day of De-
cember eighteen hundred and sixty-seven.

The condition of this obligation is such, That whereas
a marriage is shortly intended to be celebrated between the
above bound Wm. M. Hancock and Mary Jane West. Now, if there
is no lawful cause to obstruct the said marriage, then this ob-
ligation to be void, otherwise to remain in full force and
virtue.

Wm. M. Hancock, (Seal.)

Wm. McDonald. (Seal.)

Attest:

G. M. Massingale, Clerk

THE STATE OF MISSISSIPPI
Clarke County.

To any Judge, Minister, Justice, or other person lawfully
authorized to solemnize the rites of matrimony:

You are hereby authorized to celebrate the rites of
matrimony between Wm. M. Hancock and Mary Jane West, of said
County; and you are hereby required to transmit to the under-

(2)

signed Clerk of the Probate Court of said County, or his successor in office, a certificate of the marriage of said parties within six months after the celebration of same. Herein fail not under the penalty in such cases provided.

Given under my hand this the third day of December, 1867.

G. M. Massingale,

Clerk of Probate Court,

Clarke County

By virtue of a license from the Clerk of the Probate Court of said county, I this day joined in the holy state of matrimony, Wm. M. Hancock and Mary Jane West.

Given under my hand this the 3rd. day of December, 1867.

T. S. West, M. G.

Recorded December 24th, 1867.

G. M. Massingale, Clerk.

STATE OF MISSISSIPPI
Clarke County.

I, B. H. Donald, Clerk of the Circuit Court of said County, certify that the foregoing is a true and correct copy of a marriage license issued to the parties therein named, and that the certificate of marriage is a true and correct copy of same as appears on the Book of Record of Marriages on file in my office.

WITNESS my hand and seal of office this the 15th day of August, 1896. *in duplicate from,*

T. B. Donald

Circuit Clerk.

BARTON & LOGSDON
ATTORNEYS-AT-LAW
P. O. BOX 20.

C. J. BARTON
B. C. LOGSDON

D 2

AFFIDAVIT. Southern District, I.T.

This day personally appeared before me David McK. 1st Spain and after being duly sworn states that his Post Office address is White Hill, I.T. That he is the nephew of Judge William M. Hancock and Mrs. Caroline Roe of Mississippi, both now deceased; that they were the brother and sister respectively of your affiant's mother, Mrs. Mary M. Spain nee Miss Mary M. Hancock; That the said Judge William M. Hancock and Mrs. Caroline Roe nee Miss Caroline Hancock and Mrs. Mary M. Spain nee Miss Mary M. Hancock were the son and daughters of Sophia Mitchell and James M. Hancock formerly of Mississippi, now deceased.

Witness my hand this 26th day of August 1896. *David McK. 1st Spain*

Subscribed and sworn to before me this 26th day of August 1896.

C. J. Barton

Notary Public Southern District I.T.

POOR ORIGINAL -
BEST AVAILABLE COPY

STATE OF MISSISSIPPI,
County of Clarke.

EX. 876

Personally appeared before me, C. C. Powell, Clerk of the
Clerical Court of said County and State, *C. B. Bailey*
and *J. S. Thompson* who state upon oath that the follow-
ing facts are true as stated, to wit:-

That *W. M. Hancock* was duly and legally wedded to *Josephine Wiley* on the 16th day of December, 1861, in the City of
New Orleans, Parish of Orleans, and State of Louisiana, and that
from this marriage there resulted issue as follows to wit:
A daughter, born on the ¹⁹24th day of ^{May} ~~April~~, 1864, in *Quitman*
County of Clarke and State of *Miss.*, whose
name is *Josephine Willie Blanch Hancock*, now Mrs. *A. M. Massey*
and whose post office address is now New Orleans, Louisiana.
Aforesaid further state that *Josephine Hancock*, nee *Wiley*, the
wife of *W. M. Hancock*, now deceased, departed
this life on to wit:- the 13th day of August, 1866, in County of
Clarke and State of Mississippi, and that after his death
on the 1st day of December, 1867, in the County of Clarke and
State of Mississippi, he the said *W. M. Hancock*, was duly and leg-
ally married to one *Mrs. Mary Jane West*, and that said *W. M. Hancock*
and his wife *Mary Jane West* aforesaid, have resulted issue as follows to wit:- *W. M. Hancock*
Jr., born in *Quitman, Clarke County, Mississippi*, on the
10th day of June, A.D. 1869; *Jabal Avera Hancock*, born in *Quit-*
man, Clarke County, Mississippi, on the 28th day of *June*, 1875;
Charles Franklin Hancock, born in *Quitman, Clarke County, Miss-*
issippi, on the 24th day of May, 1881, said parties being heirs of
the said *W. M. Hancock*, and his wife *Mary Jane West* aforesaid,
and a daughter named *Sophia Mary Hancock*, born in *Quitman,*
Clarke County, Mississippi, on to wit January 7th, 1878, and that

(2)

their present post office address is Meridian, Lauderdale
County, Mississippi.

Sworn to and subscribed before
me this 15th day of August, AD, 1896.

C. C. Ferrell Clerk.

C. C. Ferrell
C. C. Ferrell

STATE OF MISSISSIPPI
County of Clarke.

Personally appeared before me, C. C. Ferrell, Clerk of the
Chancery Court Clarke County, and State of Mississippi,

B. McDonald who after being by me duly
sworn deposed and says that he knows the above affiants and
that they are in every sense credible witnesses and worthy of
belief.

Sworn to and subscribed
this 15th day of August, 1896.

C. C. Ferrell
C. C. Ferrell

B. McDonald
B. McDonald

28F

STATE OF MISSISSIPPI,
Clarke County.

Benjamin appeared before J. C. DeWitt, Sheriff
Clerk of Clarke County and said State, John D. Harrison and C. R.
Bailey, persons known to be an excellent persons, who say upon
oath that they know Mrs. Mary J. Hancock (nee Miss Mary J. West) and
that she was the legally wedded wife of Wm. M. Hancock, recently
deceased, and that the following named children were born to them
in wedlock: Wm. M. Hancock, Jubel A. Hancock, Sophia Hancock and C. R.
Hancock, which children are now living.

Sworn and subscribed to this
in testimony form,
the 15th day of August, 1896.
John D. Harrison
Clerk

C. R. Bailey
J. D. Thompson

STATE OF MISSISSIPPI,
County of Clarke.

Personally appeared before me, C.C. Ferrell *clerk of the*
chancery Court of said County and State.
C.R. Bailey and *J. Thompson* who say upon oath
that the following named parties, Wm. M., Jubal A., Sophia M., Chas. R.
and Josaphine W. B. Hancock are personally known to them, and that
they are generally known and recognized as the children, born in
lawful wedlock, of their respectively alleged parents in the commu-
nities wherever they have lived.

Sworn and subscribed to this
the *12* day of August, 1896.
C.C. Ferrell
Clerk.

C.R. Bailey
J. Thompson

AFFIDAVIT

Chickasaw Nation, I.T.

This day personally appeared before me David McKnight Spain and Thomas Spain to me personally well known and depose and say . " We live near White Bead Hill ,Chickasaw Nation, I.T. We are citizens of the Choctaw Tribe of Indians ,duly enrolled and draw our annuities by virtue of such citizenship, having been admitted to citizenship by an act of the General Council of the Choctaw Nation by Bill No.39 ,An Act entitled " An Act to confer citizenship upon Mary M.Spain and others, which became a law by its own limitation Oct.31 st.1877 . We know Mrs.Sophia Hancock was the daughter of Samuel Mitchell and Mollie ,a full blood Choctaw Woman. She was of Choctaw blood being one half Choctaw and one half white blood. She was enrolled and drew her annuity as a Choctaw citizen. She was our Grandmother, being the mother of our mother Mrs.Mary M.Spain, formerly Miss Mary M.Hancock We hold our citizenship in said Choctaw Nation by virtue of this relationship to said Mrs.Sophia Hancock afterwards Mrs.Sophia Tyner Mrs. Tyner Nee Miss Sophia Mitchell died near Ft.Washita about the year 1867. We have no interest in the claims of citizenship of the heirs of Mrs.Caroline Roe and Judge William M.Hancock. Witness our hands this the 21 day of August 1896.

David McKnight Spain

Thomas Spain

Subscribed and sworn to before me this the 21 day of August 1896..

C. D. Barton

Notary Public Southern District, I.T.

We *Jack Gardner* and *Emma Fisher* Choctaw citizens by blood hereby certify that David McKnight Spain and Thomas Spain are reputable and credible Choctaw Citizens of high standing and character.

Jack Gardner

Emma Fisher, formerly

Rivers

nee Hartman

Subscribed and sworn to before me this 21 day of August 1896.

C. D. Barton

Notary Public Southern District, I.T.

Application for
Choctaw
Enrollment &c.
Jubal Avera Hancock.

Repet

C. O. Barton
Atty. for Applicant,
Paul's Valley,
I. T.

H.C.

STATE OF MISSISSIPPI,
LAUDERDALE COUNTY.

Personally appeared before me, B.V. White, Clerk of the
Chancery Court of said County and State Jabal Anna Hancock
who says upon oath that he is the grand son of Mrs. Sophia Tiner,
nee Mrs. Sophia Hancock nee Miss Sophia Mitchell to the best of
his knowledge and belief. Jabal Anna Hancock
Sworn to and subscribed acknowledged
in triplicate form this the 17 day
of August, A.D. 1896.

B. V. White
Clerk.

No.

—CLAIM OF—

Jabal A. Hancock

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct 7, 1906

W. W. J. J. J.
Day

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Jubal A. Hancock

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great mind and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case fails to show that said applicant is one-eighth blood Choctaw Indian, and does not show that he has ever lived in the Indian Territory, or intent to live there.

Jubal A. Hancock.

By *The Choctaw Nation*
Stuart Gordon Harley
Its Attorneys.

End

1896 Choc 1368

1896 Choc 1368

No. ~~648~~
1368

Walter Harrison

v.

Elmer Watson

Filed Sept. 9, 96
H. W. Janney, Secy.

Commit Walter
Harrison as an
intermediary

Granted

H. W. Janney, D. J.

Filed in my Office and Recorded
Book No. 13 Page 77 General Records of
Sugar Loaf County, C. N.
James Culbertson
County Clerk

CHOCTAW NATION,

County of Sugar Loaf.

James Culberson

Clerk in and for Sugar

Loaf County, Choctaw Nation, do hereby Certify that the within and attached *Marriage License Certificate*

of *Next* page was filed in my office for record on the *14th* day of *August* - 189*6*

and that same is duly recorded at page *77* vol. *No "B"* general records of said county.

IN WITNESS WHEREOF I hereto attach my hand and seal of

office.

James Culberson

Clerk.

CERTIFICATE OF RECORD.

Filed for record this 14th day of
August 1896
at _____ o'clock _____ m.

James Robertson Clerk.

J. H. MAYERS & CO. PRINTERS AND BINDERS, FORT SMITH, ARK.

Marriage License

I, James Culbertson, authorized to
solemnize the rites of matrimony,
Greeting:

Know ye that
James Culbertson, County Clerk of
Sugar Land County, T. X., by the au-
thority in me vested, do grant unto
Lelia Wilson, and Walter Harrison
a license to be joined in the bands
of matrimony, they having complied
with the laws of the Choctaw Nation
in regard to the same.

Therefore, you are
hereby commanded to perform
the marriage rites of Lelia Wilson
and Walter Harrison in accord-
ance with the laws of the Choctaw
Nation.

Given under my hand
and Seal this 11th day of August 1896
James Culbertson
County Clerk.

Filed in my Office and Recorded
Book No "B" Page 77 General Records of Sugar
Loaf County C. H.,

James Culberson
County Clerk.

Sugar Loaf County
Choctaw Nation

This is to certify
That Walter Harrison and Melia
Holson was legally married
on the 17th day of August A.D. 1896
to citizen of the Choctaw Nation
he is therefore entitled to citizenship
and is to be regarded as a
citizen.

Given under my hand
this 11th day of August 1896
S. H. Holson
Probate Judge of Sugar
Loaf Co. C. H.

No. 648

1365

Walter Shinn

v.

Shinn Station

Filed Sept. 9, 96

W. M. Jennings, Secy.

Committee

Harmen as an

informant

W. M. Shinn

Shinn, D. J.

Filed in my Office and Recorded
Book No. 13 Page 77 General Records of
Sugar Loaf County, C. N.,
James Culbertson
County Clerk

Application of }
Hatter Harrison } Gilmore D. T. Aug 22nd 1896
To the Hon Dawu Commission.
Tinta D. T.

Sir,
I herewith make application
for Citizenship in the Choctaw Nation on
the following grounds, to wit:

I hereby certify
that I have duly conformed to
all the requirements of the Laws of
said Choctaw Nation - was legally
married and a license procured there-
for - also that I am known and
accepted as a citizen by the Courts
of said nation - In proof of which
I attach a certificate of each fact
from the Judge of Sugar Loaf Co.

Also a certificate of record from
the Clerk of said County, and Marriage
License issued by the same. I also
certify that a true copy of this proof has
been sent ~~and~~ the Hon Jeff Gordon, at Eagle
- town D. T. this day by registered mail - and enclosed
receipt for same - according to your instruc-
tions.

Subscribed & sworn to before.
the 22nd day of August 1896

C. W. Robbs, and Walter
Harrison being duly sworn
hereby. Certify. That a true
Copy of these papers. have
this day been forwarded.
(by registered mail). to the
Hon Jeff Gardner. at
Eagleton N. H. this day by
registered mail.

W. H. Harrison
C. W. Robbs

Subscribed & sworn to before
me. This 22nd day of Aug. 1896.

B. J. McClure

Notary Public

No.

—CLAIM OF—

Walter Harrison

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED SEPT. 24

A. S. FICK

COMMISSIONER

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Walter Harrison

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

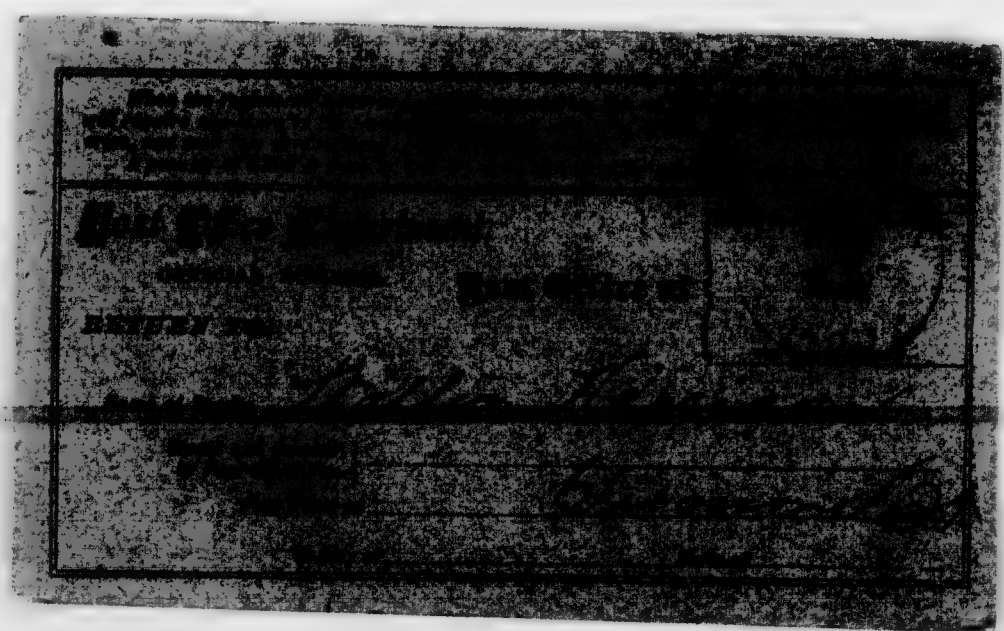
EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

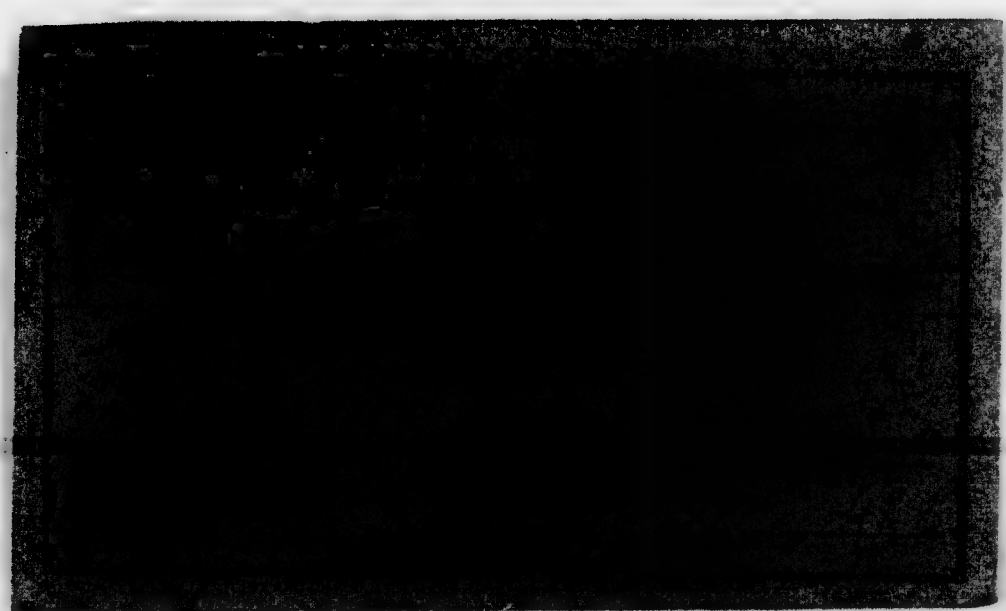
That there is no proof that the wife of claimant is a Choctaw Indian.

That there is no evidence that the claim of the applicant has ever been disputed by the Choctaw Nation.

Walter Harrison.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.





End

1896 Choc 1369

1896 Choc 1369

No 3885
J. M. Hewitt
US 1369
Choctaw Nation

FILED SEPT. 8 1886
A. S. McKENNON
COM'Y

Granted
Intermarried

Call Bros. atty
atok

South McAlistar, I. T. Sept. 8, 1890.

Received this day papers purporting to be copies in the claim of

W. J. Hewitt

for Choctaw Citizenship, as follows: Petition, marriage license and
marriage certificate and affidavits of Albert Forks

Stuart Gordon & Hailey

Attys for Choctaw Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES,

W. J. Hewitt, Applicant for enrollment
as a member of the Choctaw Tribe of Indians,

YOUR APPLICANT, *W. J. Hewitt*, respectfully re-
presents to this Honorable Commission that he is a regularly recognized member of
the Choctaw Tribe of Indians of the Indian Territory and is a bona fide resident
of the Choctaw Nation and is entitled to be placed upon the rolls being prepared
by this Honorable Commission, as a member of said Choctaw Tribe or Nation, for
the following reasons to-wit:

1st. There is no correct and perfect roll of the members of the Choctaw Tribe
Indians, and no law or authority for the Choctaw Nation to make such rolls.

2nd Your applicant was on the 9 day of Feb 1887.
A citizen of the United States and a white man and resident of the Choctaw Na-
tion and was on said date legally and in compliance with the laws of the Choctaw
Nation married to *Fannie Hewitt* nee
Fannie LeFlore who was then and is now a regularly recog-
nized member by blood of the said Choctaw Tribe of Indians, a copy of the marriage
license and the certificate of marriage is hereto attached and marked exhibits
"A" and "B" and made a part hereof.

3rd. By virtue of said marriage your applicant became a member of the said
tribe of Indians and has ever since been so recognized by the other members of the
said nation and his membership has never been denied or forfeited.

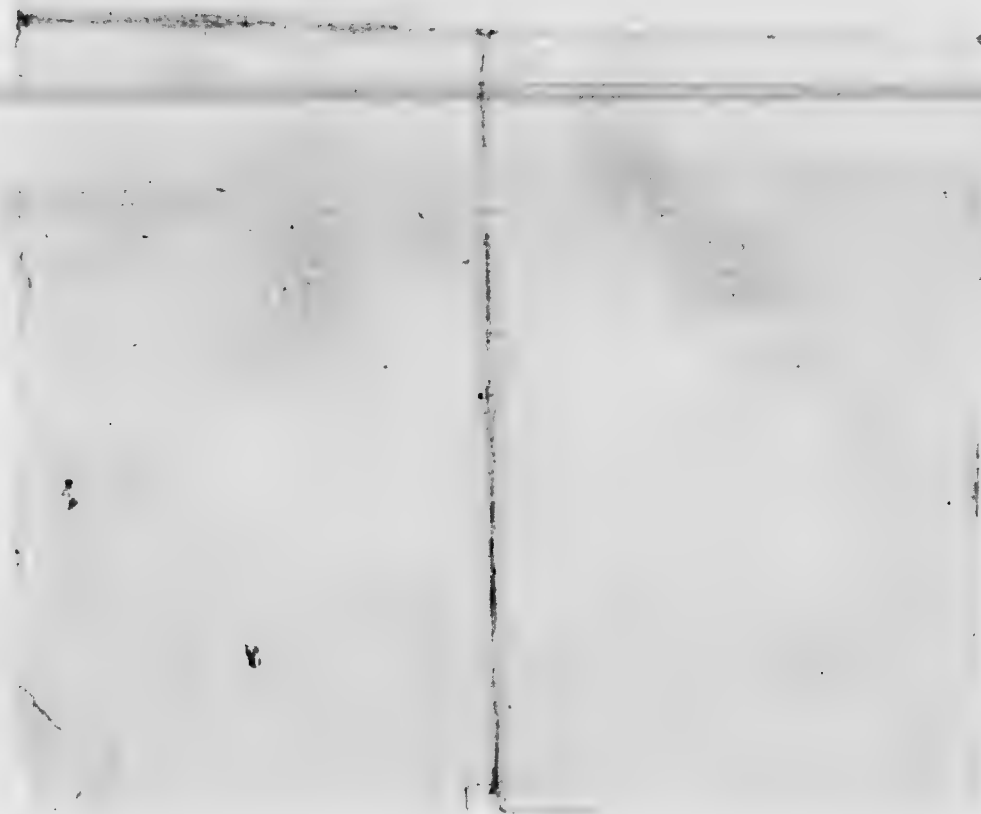
Your applicant files herewith the affidavit of *Albert Gibbs*
As additional proof of the membership of his wife *Fannie Hewitt*
nee *Fannie LeFlore*, And asks that his name be
placed upon the roll as a member of the Choctaw Tribe of Indians.

W. J. Hewitt
Subscribed and sworn to before me this the 4 day of
Sept 1896.

J. M. Hopkins
Notary Public for the Central District of the Indian Territory.

This is to certify that
Mr W. J. Hewitt, and
Miss Fanny F. Hewitt
the were united in the
marriage before me
bond into the mar-
riage on the 9th
day of Feb. A.D. 1887
according to law
above mentioned
Given under my
hand and my private
seal this 9th day
of Feb. A.D. 1887
Jackson Henderson
County and Probate
Judge Eagle County
C. S.

This is to certify
that this has been
recorded in Record
Book of the
County of
the State of



POOR ORIGINAL -
BEST AVAILABLE COPY

The Choctaw Nation, }
2nd Judicial District }

This is to certify that
Mr William Jasper Howell a citizen
of the United States has this day filed
with me his petition, duly signed by
ten citizens of the Choctaw Nation,
granting their consent for the said
William Jasper Howell to marry
Miss Fanny L. Love (formerly Miss
Fanny Howell) a citizen of Eagle
County Choctaw Nation, and the
said William Jasper Howell, being
duly sworn, and the necessary oaths required
in due Law, Now by virtue of the
power invested in me according to
the Constitution and laws of the
Choctaw Nation, I do hereby authorize
and empower my personal agent
Commissioned and authorized to
solemnize the rights of matrimony
to join in Holy wedlock the aforesaid
William Jasper Howell and Miss Fanny
L. Love, and to this to be an attestation
their certificates of same

Given under my hand and seal
of Office July 5th 1891,
Brewster H. Huns, Clerk
2nd Judicial Dist. C.N.

POOR ORIGINAL -
BEST AVAILABLE COPY

Record 13. a
a page 41.

Given under my
hand and seal of office

by - 7/57

Ben Harrison
Governor
Ind. 1857

POOR ORIGINAL -
BEST AVAILABLE COPY

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
W. J. Hewitt, Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

ON THIS the *4* day of *Sept* 1896, personally appeared
before me the undersigned authority, *Albert Forbes* who,
having been by me first duly sworn according to law states on his oath as follows
to wit:

"I am *57* years old, am a resident of *Red River* county of
the Choctaw nation and am a member of the Choctaw nation. I am acquainted with
the applicant, *W. J. Hewitt* and have known him dur-
ing the last past *16* years. I knew his wife *Fannie Hewitt*
and have known her for *20* years. I knew her father and
mother and know them and her to be members, by blood, of the Choctaw Tribe of
Indians and they are so recognized by other members of the said Tribe. Ever since
the applicant married said *Fannie Hewitt* he has been re-
cognized as a member of the said Choctaw Tribe and his right has never been
disputed.

Mrs. *Fannie Hewitt* was before her marriage
to the applicant a *Citizen by blood*, being the
daughter of *Michael Lettore* and *Susan*
Lettore

The applicant is now a resident of the Choctaw nation.

Albert Forbes
Subscribed and sworn to before me this the *4* day of
Sept 1896.

J. W. Hopkins
Notary Public for the Central District of the Indian Territory.

1369 428

No.

—CLAIM OF—

J. H. Herriott

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct 11* 1896. *E.*
A. S. McLENNAN

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

J. W. Hewitt

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~That there is no evidence that this claim has ever been disputed by the Choctaw Nation.~~

J. W. HEWITT.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 Choc 1370

1896 Choc 1370

Before Commission
for fair civilized title

Application of

Sam Hill 370

David Hill

vs

Choctaw Nation

No 1202

Filed Sept 9th - 1894

A. S. McKinnon

Admit Dave Hill as
an intermarried citizen -

Exces 3703 attys

Atoka I. T.

J. A. Connors +

Rauers 3703 attys

South Washington, I. D. Sept. 1, 1900.

Received this day papers purporting to be copies in the chain of

Sam Hill, for Cheater citizenship, as follows:

Petition, marriage license and marriage certificate and affidavits of

Robert F. Gurner

Stuart Gordon Hailey

Atty. for Cheater Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

Dave Hill, Applicant for enrollment as a member of the Choctaw Tribe of Indians.

YOUR APPLICANT, Dave Hill, respectfully represents to this Honorable Commission that he is a regularly recognized member of the Choctaw Tribe of Indians of the Indian Territory and is a bona fide resident of the Choctaw Nation and is entitled to be placed upon the rolls being prepared by this Honorable Commission, as a member of said Choctaw Tribe or Nation, for the following reasons to-wit:

1st. There is no correct and perfect roll of the members of the Choctaw Tribe of Indians, and no law or authority for the Choctaw Nation to make such rolls.

2nd. Your applicant was on the 29th day of April, 1896. A citizen of the United States and a white man and resident of the Choctaw Nation and was on said date legally and in compliance with the laws of the Choctaw Nation married to Hellie Hill nee Hellie Morgan who was then and is now a regularly recognized member by blood of the said Choctaw Tribe of Indians, a copy of the marriage license and the certificate of marriage is hereto attached and marked exhibits "A" and "B" and made a part hereof.

3rd. By virtue of said marriage your applicant became a member of the said tribe of Indians and has ever since been so recognized by the other members of the said nation and his membership has never been denied or forfeited.

Your applicant files herewith the affidavit of As additional proof of the membership of his wife Hellie Hill nee Hellie Morgan, And asks that his name be placed upon the roll as a member of the Choctaw Tribe of Indians.

Subscribed and sworn to before me this the 29 day of August, 1896. G. A. Minton

Notary Public for the Central District of the Indian Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Dave Hill, Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

ON THIS the 29th day of August 1896, personally appeared
before me the undersigned authority, R. F. Turner who,
having been by me first duly sworn according to law states on his oath as follows
to wit:

"I am 42 years old, am a resident of Toluckay county of
the Choctaw nation and am a member of the Choctaw nation. I am acquainted with
the applicant, Dave Hill and have known him dur-
ing the last past 3 years. I know his wife Nellie Hill
~~her mother~~ and have known her ~~from~~ Birth years. I knew her father and
mother and know ~~them~~ and her to be members, by blood, of the Choctaw Tribe of
Indians and they are so recognized by other members of the said Tribe. Ever since
the applicant married said Nellie Hill he has been re-
cognized as a member of the said Choctaw Tribe and his right has never been
disputed.

Mrs. Nellie Hill, was before her marriage
to the applicant a Nellie Morgan, being the
daughter of F. P. Morgan and
Emma Morgan

The applicant is now a resident of the Choctaw nation.

R. F. Turner
Subscribed and sworn to before me this the 29 day of
August 1896.

G. M. Weston
Notary Public for the Central District of the Indian Territory.

Marriage License.

The Choctaw Nation,
Indian Territory.
Tobucksy. County.

SS.

To any Minister of the Gospel, Judge or any person
in the Choctaw Nation authorized to solemnize the rites of matrimony.
Greeting:- Whereas, Dave Hill, a citizen of the United States has duly
made application to the undersigned Clerk of the County and Probate
Court, within and for the County of Tobucksy, Choctaw Nation, for a
license to enter into the Bonds of Matrimony with Nellie B. Morgan, a
citizen of the Choctaw Nation. And the undersigned being satisfied that
the said Dave Hill is a suitable person to be granted license to enter
into the Bonds of Matrimony with the said Nellie B. Morgan.

Now, I therefore grant unto the said Dave Hill a license
to marry the said Nellie B. Morgan. And any Minister of the Gospel,
Judge or any person authorized to solemnize the rites of Matrimony is
hereby authorized to join in Matrimony the said Dave B. Hill and the
said Nellie B. Morgan.

In testimony whereof I, E. M. Bond, County and Probate
Clerk in and for County of Tobucksy, Choctaw Nation, have hereunto set
my hand and seal of said Court, this 20th day of April A. D. 1902.

E. M. Bond, Clerk.

Certificate of Marriage.

Choctaw Nation,
SS.
Tobucksy County.

I, I. B. Hickman, a Minister of the Gospel, do hereby
certify that on the 20th day of April, A. D. 1902, I did duly and ac-
cording to law as commanded in the foregoing license, solemnize the rites
of and publish the Bonds of Matrimony between the parties thereto named.

Witness my hand this 20th day of April, A. D. 1902.

Memorials are recorded in the office of the Clerk of the Northern
Dist. N. S. Court, A-Book 12-Page

I. B. Hickman.
A Minister.

Choctaw Nation,
County of Tobucksey.

SS

I, E. M. Bond, Clerk in and for the County of
Tobucksey, do hereby certify that this instrument was filed in my of-
fice for record at 9 o'clock, A. M. May 4, 1898. and is duly recorded
in Book C. Page 400 & 401 of Tobucksey, County Records.

In testimony whereof I E. M. Bond, Clerk as aforesaid,
have hereunto set my hand and seal as such clerk., this 13th day of May
A. D. 1898.

E. M. Bond,
Clerk as aforesaid.

No.

—CLAIM OF—

Harv Hill

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct. 11* 1896 *
A. S. McKENNON

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

David Hill

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

DAVID HILL.

By

The Choctaw Nation
Stuart Gordon Hailey
Its Attorneys.

End

1896 Choc 1371

1896 Choc 1371

R. T. Hael

Chas. H. H. H. H.

FILED SEPT. 19 1896. ☆

★A S... NON*

Admit R. H. Hall as
a naturalized citizen

Maund

A. F. Ross

Finca

20

South McAlester, I. T.

Sept. 3th. 1890.

Received this day papers purporting to be copissin the matter of
the claim for citizenship of R. H. Hall

against the Choctaw Nation, as follows: Petition, Affidavits

Sarah Hall Oscar Mable & Tom Lewis

marriage license, marriage certificate.

Amos Gordon & Hailey

Attys for Choctaw Nation.

POOR ORIGINAL -
BEST AVAILABLE COPY

No. _____
APPLICATION OF
Robert H. Hall Et. Al.,
FOR
Enrollment in *Choctaw* Nation
Filed on the _____ day of _____ 189____
Sec. U. S. Com Five Civ. Tribes.

Attorney for Petitioner.
CAPITAL PRINT, South McAlester.

*James R. & Co.
Pay Enrolment Money
Low Spring Aug 27 1890.*

APPLICATION FOR ENROLLMENT.

Before the United States Commission to the Five Civilized Tribes of Indians:

Robert H. Hall Et. Al.
PETITIONER,
VS.
Chortaw Nation, Indian Territory,
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner *Robert H. Hall* states that *his wife Susan Hall* was a *Chortaw* Indian by blood, was duly recognized by the proper authorities as such in the *Sease Dist. Payment 1898* and enjoyed all the rights, privileges, benefits and immunities of other *Chortaw* Indians by blood in the said *Chortaw* Nation or Tribe of Indians, and that the name of the said *Susan Hall* appears or should appear upon the authenticated rolls of the said *Chortaw* Indians for the year *1898*

That the petition is a lineal descendant of the said *Geo. W. Riddle* to-wit: *He is her father, and she and your petitioner were lawfully united in marriage at Nashville, Tenn. and has since enjoyed the rights and benefit of other Chortaws and are still living together as husband and wife and has born unto them two children George age 4 yrs is on the rolls and drew his money in the Sease Dist payment of '98*

That under the constitution, laws, usages and customs of the said *Chortaw* Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said *Chortaw* Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities of other *Chortaw* Indians by blood.

That there are now living legal descendants of your said petitioner *two* persons, as follows, to-wit:
George Hall a boy, and *3 yrs 4 months* years of age
Ada V. Hall a girl, and *1 yr 4 months* years of age
_____, a _____, and _____ years of age
_____, a _____, and _____ years of age
_____, a _____, and _____ years of age
_____, a _____, and _____ years of age
_____, a _____, and _____ years of age
_____, a _____, and _____ years of age
_____, a _____, and _____ years of age
_____, a _____, and _____ years of age
_____, a _____, and _____ years of age

Wherefore, the premises considered, your petitioner prays that *his* name, with those of

his said descendants to-wit: *George Hall*
and *Ada V. Hall*

be enrolled and admitted to all the rights, benefits, privileges and
immunities of other *Choctaw* Indians, in and to the *Choctaw* Nation or
Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence namely:
Deposition of Susan Hall "A"
License & certificate of marriage "B"
Affidavit of Oscar Nickle & Thos Lewis

and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner
will ever pray, etc.

A Frank Rose
Attorneys for petitioners.

The aforementioned petitioner, *Robert H. Hall* says that the statements
set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Robert H. Hall Petitioner.

Subscribed and sworn to before me, this *31st* day of *August* 18*06*

Samuel L. Patton
Notary Public.
Ray County, Missouri
Term expires July 27, 1900.

No.	APPLICATION OF	ET. AL.,
	<i>Robert H. Hall</i>	
	FOR	
	<i>Choctaw</i>	Nation
Enrollment in		
Filed on the	day of	189
		Sec. U. S. Com Five Civ. Tribe's
		Attorney for Petitioner.
		CAPITAL PRINT, South McAlester.

State of Missouri Exhibit A
County of Ray Affidavit of Susan Hall

Personally appeared before me **Notary Public** of the aforesaid County and State one Susan Hall (nee Riddle) of lawful age and after being sworn deposes and says: I am the wife of Robert H. Hall the affiant herein and am the mother of George and Ada Hall who are mentioned in the petition of the aforesaid Hall my husband
I have lived with the said petitioner as husband and wife since our marriage March 30th 1892. I am a Choctaw by blood and have enjoyed all the rights and privileges as such ~~for~~ all my life. I drew money as well as did my son George in the last list payment to the Choctaw Indians in the year of 1893. My husband R. H. Hall has also enjoyed all the rights and privileges of other intermarried citizens of the Choctaw Nation.

Susie J. Hall.

Sworn to and subscribed before me on this the 31st day of Aug. 1896.

Term expires July 27, 1900 Samuel L. Patton Notary Public

124 Marriage License

B

Know all men by these presents that license is hereby granted unto R. H. Hall a citizen of the United States and Miss Susan Riddle a citizen of the Choctaw Nation to be united in holy bonds of matrimony. Therefore any minister of the Gospel or Judge of Court in the Choctaw Nation is hereby authorized to perform the marriage ceremony uniting the above couple as husband and wife, he having complied with the laws of the Choctaw Nation.

In testimony I hereto sign my name with my official seal on this the 29 day of March 1892

J. Nelson
Clk Gaines Co. Choctaw Nation

Certificate of Marriage

This is to certify that I, a minister of the Gospel performed the ceremony uniting the above named couple as husband and wife on the 30th day of March 1892

A. Frank Ross A. Bop minister

The above license and certificate on this day recorded in book "A" general record book in my office April 1894
J. Nelson & clk

Exhibit

Marriage License

R. H. Hall Et. Al.

vs

Charlotte Natl.

This is to certify that this is a
true copy of the marriage license
and certificate of R. H. Hall and
Miss Susan Riddle as it ap-
pears in this office ^{in Book A} on page 11
this Sept 1st 1896

A. Frank Rapp
Deputy Clerk of Gainsboro
& Notary Public

Exhibit

Affidavit of Oren Mickle

7

Robert H. Hall Et. Al.

Vs

Chertaw Katur

No.

CLAIM OF

R. H. Hall.

FOR CIRCULAR CREDIT.

ANSWER.

Filed Oct. 7, 96
H. W. Jansway
Truy

STUART, GORDON & BAKER, Attorneys.

IN THE MATTER OF THE CLAIM OF R. H. Hall.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

There is no evidence that the applicant was married according to Choctaw Law, and no proof that license was obtained from the Choctaw authority.

There is no evidence that this claim has ever been disputed by the Choctaw Nation.

R. H. Hall.

By The Choctaw Nation
Stewart Gordon & Kinley
Its Attorneys.

End

1896 Choc 1372

1896 Choc 1372

So. McAlester, I.T. Sept. 7th. 1896.

Received ~~of~~ this day papers ~~in~~ purporting to be copies in
the claim of Thomas I. Hamm for Choctaw citizenship before the
Dawes Commission as follows:

Application of Thomas I. Hamm;

Certified copy of marriage license of Thomas I. Hamm

Mrs Ella Cloud;

Certified copy of Decree of Divorce granted Mrs Ella Cloud

Affidavit S.J. Garvin and H.C. Campbell;

Stuart Lord, Atty. Gen.
Atty. for Choctaw Nation

Application
for
Choctaw
Enrollment &c.

1372

Thomas Hamm.

Grant

Halsell & Barton
Attys for Applicant,
Pauls Valley
I. T.

APPLICATION FOR CITIZENSHIP OF THOMAS I. HAMM.

To The Hon Dawes Commission,
Venita, I.T.

Your petitioner and applicant, the undersigned, Tho's I. Hamm states
1 st. That his name is Tho's I. Hamm; That he is a white man by blood
and is 26 years old; His Post Office address is Pauls Valley, I.T.

2 nd.

That on the 2 nd day of July 1896 he married Mrs Ella Cloud, a
Choctaw Indian by blood, by virtue of a marriage certificate issued by
W.H.Bourland, County Judge of Pickens County Court and that the rites
of matrimony were performed by A.M.Belcher and a record thereof made
by Guy Keel on the 9 th day of July 1896; a certified copy of which
said marriage license with a certificate thereof of said County Clerk
and the return thereupon of said A.M.Belcher is herewith filed marked
exhibit 'A' and made a part hereof.

3 rd.

That said Mrs Ella Cloud, formerly Miss Ella Camp was born Aug
the 15 th 1876 near Arbuckle, I.T. and was registered as Ella Cloud.
as a member of the Choctaw tribe of Indians and has heretofore drawn
annuity as such. She was divorced from her former husband, H.C.Cloud
prior to her marriage to your applicant to-wit on the 27 th day of
Nov. 1894 a decree of which said divorce (Certifier copy) is here-
with filed and marked exhibit 'B'.

4 th.

That she is the daughter of Mary Camp Nee Mary Howell, a Choctaw
citizen by blood and J.B.Camp, a white man, both of whom have been
duly enrolled and recognised by said Choctaw Nation.

Wherefore your applicant, said Tho's I.Hamm prays your honora-
ble body that he be enrolled as a member of said Choctaw tribe of Indi-
ans and that he be granted all the rights and privileges of a member
of said Choctaw Nation, in accordance with the treaties and laws per-
taining thereto.

Witness my hand this the 28 th day of August 1896.

SOUTHERN DISTRICT
INDIAN TERRITORY

Personally appeared before me the undersigned, Tho's I.
Hamm, who being by me duly sworn states that the facts alleged in the
foregoing application are true. And I hereby certify that the said
Tho's I. Hamm is a reputable and credible person
Witness my hand and Notarial Seal
This 28 th of August 1896.

.....
NOTARY PUBLIC SOUTHERN
DISTRICT INDIAN TERRITORY.

Exhibit A B.

CHICKASAW NATION, COUNTY OF PICKENS.

To any Judge of the County or District Court, ordained minister of the gospel, in and for said county of Pickens, Greeting- You are authorized to solemnize the rights of matrimony between Mr Thomas I. Hamm and Mrs. Ella Cloud and make due return to the Clerk of the County Court within thirty days thereafter certifying your action under this license. Witness my official signature and seal of office, Pickens County Court House this twenty ninth day of June 1896.

By..... W. H. Bourland, Judge County
Deputy. Court Pickens County.

I A. M. Belcher, hereby certify that on 2 the day of July A.D. 1896

I united in marriage Mr Thomas I. Hamm and Mrs. Ella Cloud, the parties above named.

Witness my hand this the 2 the day of July 1896.

A. M. Belcher .

Filed for record 9 th day of July 1896.

Recorded 9 th day of July 1896.

Guy Keel
County Clerk.

OFFICE OF
GUY KEEL
CLERK OF PICKENS COUNTY
CHICKASAW NATION.....

LEBANON, I. T.189.

I, Guy Keel , Clerk of the County Court of Pickens County, Chickasaw Nation, Ind. Terr. hereby certify that foregoing marriage license is a true and correct copy of original handed me for record, and duly recorded on page 301 in General Record of Pickens County Chickasaw Nation Indian Territory. Witness my hand and official seal at my office, This 9 th day of July A. D. 1896.

(SEAL)

Guy Keel
County of Probate
Clerk of Pickens County,
C. N. I. T.

SOUTHERN DISTRICT IND. TER.

I, C.O. Barton, a notary public for the southern district of the Ind.

Ter. do hereby certify that the above and foregoing marriage license of Thomas I. Hamm and Ella Cloud dated 29 th day of June 1896 signed W.H.Bourland Judge County Court Pickens County , with the return thereon of A.M.Belcher dated the 2 nd day of July 1896 and alleged to be filed the 9th. day of July 1896. and recorded 9th. day of July 1896. by Guy Keel, County Clerk together with the certificate of record dated 9th. day of July 1896 signed by Guy Keel County of Probate Clerk of Pickens County C.N.I.T. with the seal of Clerks office Pickens Co., C.N. thereto attached , the original whereof is now in the possession of Thomas I. Hamm has been this day handed me , and that the above and foregoing is a true and perfect copy thereof and was made this day by me and I have marked it exhibit "A".

Witness my hand and notarial seal this 28th. day of Aug., 1896.
C.O. Barton Notary Public South. Dist. I.T.

Exhibit "B" V

CHICKASAW NATION DIST., COURT
NOV. TERM 1894

KNOW ALL MEN BY THESE PRESENTS That I, Benj F. Kemp, Judge of the Dist., Court of the C.N. by virtue of authority vested in me by law have this day granted and decreed a decree of divorcement to Ella Cloud, dissolving the marriage relations between her and her husband H.C.Cloud. And I further decree to Mrs Ella Cloud the custody of her child, Beatrice Cloud, agreeable to the verdict of the jury trying the case, Witness my official signature this the 27 th day of Nov 1894.

Benj F. Kemp. Dist. Judge C.N.

(SEAL)

ATTEST

A.T.McKinney, Dist. Clk. C.N.

SOUTHERN DISTRICT, I.T.

I, C. O. Barton, a Notary Public for the Southern District. Ind. Ter. do hereby certify that the above and foregoing decree of divorce to Ella Cloud from H.C.Cloud dated Nov., 27 th 1894 signed Benj F Kemp District Judge C.N. attested by A.T.McKinney District Clerk, C.N. with the seal of the District Court of the Chickasaw Nation Tishomingo, I.T. The original whereof is now in the possession of Mrs Ella Hawk, has been this day presented to me and that I have made an exact copy thereof and that the above and foregoing is an exact true and perfect copy thereof and was made this day by me and that I have marked it Exhibit "B". Witness my hand and notarial seal this the 28 th day of August 1896.

C O Barton
.....

NOTARY PUBLIC
SOUTHERN DISTRICT IND. TER.

SOUTHERN DISTRICT INDIAN TERRITORY,
I, *S. J. Harvin*.....and.....*H. C. Campbell*

the undersigned being duly sworn state that I know Mrs. Ella Hamm,
formerly Mrs Ella Cloud~~ams~~ nee Ella Camp, whose Post office address is
Pauls Valley I.T. where she now lives with her husband Thomas I. Hamm.
That she is known and recognized as a Choctaw Indian by blood.
That her mothers name was Mary Howell, a Choctaw Indian by blood.
That her fathers name is J. B. Camp, whose Post Office is Davis I.T.
That said J.B.Camp and his wife Mary are known and recognized as membe
ers of the Choctaw tribe of Indians.

Witness *W. H. ...* hand Sat Pauls Valley, I.T. this *28th* day of August
1896. *S. J. Harvin* *Choctaw*
H. C. Campbell *Choctaw*

Subscribed and sworn to before me this *28th* day of August 1896.

J. M. Dochast
Notary Public Southern Dist'ct
Indian Territory.

No.

—CLAIM OF—

Thos. J. Hamner

FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Oct 7, 1896.
H. L. J. J. J.
Reg.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Thos. J. Hamm

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no evidence that the claimant has ever been
disputed by the Choctaw Nation.

Thos. J. Hamm.

The Choctaw Nation
By *Stuart Gordon & Bailey*
Its Attorneys.

End

1896 Choc 1373

1896 Choc 1373

No. 3886
Amanda A. Harris
vs 1373
Choctaw Nation

FILED SEP. 8 1886
U. S. MCKEY

Grand
Intermarried
Pills Bros, atty
at law & J

SENATE HALL, D. C. Sept. 8, 1884.

Received this day of September 1884 in the name of

Minanda A. Harris

of District of Columbia, as follows: Petition, naming a license and

and certificate and affidavit of J. E. Harris

Stuart Gordon Bailey

Atty. for District of Columbia.

POOR ORIGINAL -
BEST AVAILABLE COPY

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs *Amanda Amos Harris* Applicant
enrollment as a member of the Choctaw Tribe of Indians

YOUR APPLICANT Mrs *Amanda Amos Harris*, respectfully
represents to this Honorable Commission that she is a regularly recognized member of the Choctaw
Tribe of Indians of the Choctaw Nation and is entitled to be placed upon the rolls, to be pre-
pared by this Honorable Commission as a member of the Choctaw Tribe of Indians on the fol-
lowing grounds, to wit:

1st. There is no true and perfect roll of the members of the Choctaw Tribe of Indians and
no law or authority for the Choctaws to make such a roll.

2nd. On the *10* day of *Aug* 189*0* your applicant was a white woman
and a citizen of the United States and on said day was legally married to

J. M. Harris
who was then and is now a regularly
recognized member by blood, of the Choctaw Tribe of Indians, a copy of the marriage certificate
is hereto attached and marked Exhibit "A," and made a part hereof.

That there was not then nor is there now, any law of the Choctaw Nation authorizing the
issuing of a marriage license and it was and now is the established custom for Choctaw men to
marry white women without a license from the Choctaw Nation and by such marriage white
women become members of the Choctaw Tribe of Indians and are so recognized by the Choctaw
authorities.

Your applicant files herewith the affidavit of *J. E. Otter*
as additional proof of the citizenship of said *Amanda Amos Harris* and
the custom among the Choctaws and asks to be placed upon the rolls as a member of the Choctaw
Tribe of Indians.

Subscribed and sworn to before me this the
day of *Sept* 1896

H. A. Sturney
Notary Public for the Central District of the Indian Territory.

Co. Clerk, Red River Co. C. T.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs *Amanda Aunes Harris* Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

BE IT REMEMBERED. That on this the *4th* day of *Sept* 1896,
personally appeared before me the undersigned authority *J. C. Harris*
who having been by me first duly sworn according
to law states on his oath as follows:

"I am *42* years old, I am a resident of *Red River* county of the
Choctaw Nation and a recognized member of the Choctaw Tribe of Indians. I have known
Mrs *Amanda Aunes Harris* and her husband *J. M. Harris* for *7* years,
her husband is a member, by blood, of the Choctaw Tribe of Indians and was such at the time he
married *her*, I knew his father and mother and they
were recognized members of the Choctaw Tribe of Indians, Mrs. *Amanda Aunes*
Harris has ever since her marriage been a recognized member of said
Tribe.

At the time of Mrs *Amanda Aunes Harris*' marriage to
J. M. Harris it was the custom among the Choctaws for Indian
men to marry white women without a license and license was not granted. That custom still
prevails and white women who marry Indian men become members of said Tribe.

Subscribed and sworn to before me this the *4th*
day of *Sept* 1896.

J. C. Harris
Notary Public for the Central District of the Indian Territory.

(C. O. & Co., Red River Co. C. M.)

Arkansas, I.T. Aug 20th 1896.

To all whom it may Concern:-
Know ye that I W.M. Keith a Minister of the Gospel in the Methodist Episcopal Church South did on the 10th of Aug AD 1896 unite in the holy Estate of Matrimony J. M. Harris ^{and Hannah by blood} & Miss Amanda A. McDaniel a citizen of the U.S.

W.M. Keith M.A.
do certify that the above is true & correct this Aug. 26th 1896.

J. H. A. Shorney
Co Clerk
Red River Co. C.T.

" Certificate "

This is to certify that the above Certificate of Marriage is the true & correct copy of the original one now on Record in my office. Witness my hand & seal on this 26th Aug. 1896.

J. H. A. Shorney
Co Clerk

Recorded in the office of Co. Clerk on
this Aug 26th 1896.



H. A. Shumey.
Co. Clerk
Red River Co. C. N.

No.

—CLAIM OF—

Amanda H. Harris

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED
A. S. MCKENNON
COM' R

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Amanda A. Harris

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~That there is no evidence that this claim has ever been disputed by the Choctaw Nation.~~

AMANDA A. HARRIS.

The Choctaw Nation
By *Stewart Gordon Bailey*
Its Attorneys.

End

1896 Choc 1374

1896 Choc 1374

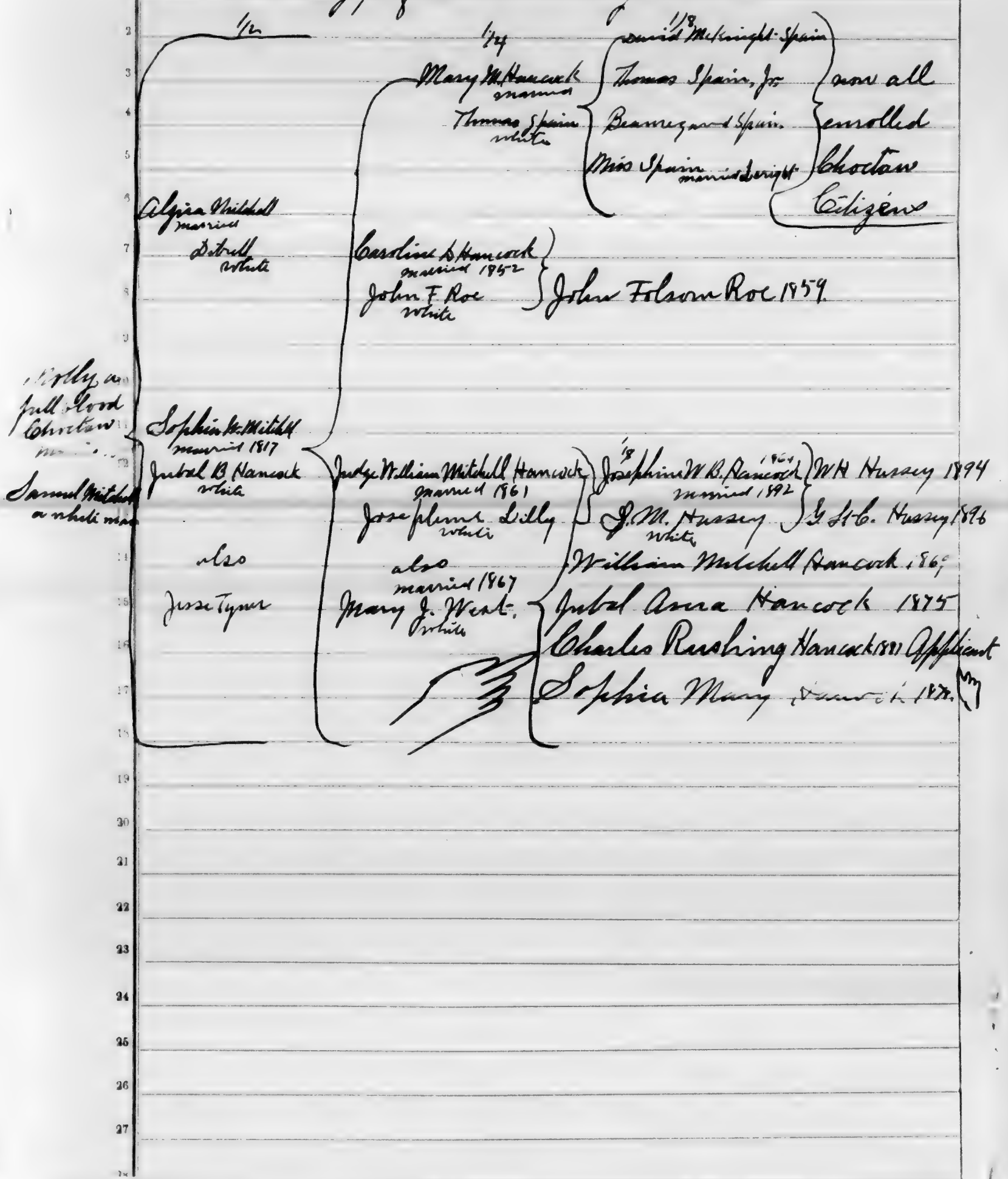
So. McAlester, I.T. Sept. 7th. 1896.

Received this day papers purporting to be copies in the
claim of Charles Rushing Hancock for Choctaw citizenship before the
Dawes Commission as follows:

Genealogy of Charles Rushing Hancock;
Application of Charles Rushing Hancock;
Affidavit of C.O. Barton and certified copy of marriage
certificate;
Affidavit D.C. Smith and W.W. Thompson;
Certified copy of marriage certificate William M.
Hancock and Mary Jane West;
Affidavit C.R. Bailey and J.S. Thompson;
Affidavit David McKnight Spain;
Affidavit C.R. Bailey and J.S. Thompson;
Affidavit David McKnight Spain and Thomas Spain;
Affidavit Charles Rushing Hancock

Stuart Gordon & Alley
attys for Choctaw Nation

Genealogy of Charles Rushing Hancock



Application for citizenship

United States of America }
Indian Territory } ss
The Hon. Henry T. Rogers

On this day of August, 1898, before me, the undersigned, being a duly sworn states he is a lineal descendant of Mr. J. B. Hancock, a full blood white man, and Sophia Mitchell, daughter of the said J. B. Hancock, who were married in the County of White, State of Tennessee, on the 28th day of August, 1817, in the County of White, State of Tennessee, as shown by their marriage certificate marked Exhibit "A" and made a part of this application. That he is a son of Wm. M. Hancock, a full blood white man, and Mary Jane West, a full blood white woman, who were duly and legally married on the 3rd day of December, 1867, in the County of Clarke and State of Mississippi, as shown by their marriage certificate marked Exhibit "B".

Approved: Aug. 5, 1898

Your applicant Charles F. Hancock a citizen of Meridian, Mississippi respectfully applies for the rights and privileges of citizenship in the Choctaw Indian Nation, and respectfully prays that his name be enrolled as a citizen of the said Choctaw Tribe.

Applicant further states that he is a great grandson of Samuel Mitchell, a full blood white man, and Molly, a full blood Choctaw woman, who were married in ^{the old Choctaw Rec. in Mer. about the year 1798} on the day of ~~18~~ A.D. 18 and that he is a grand son of J. B. Hancock, a full blood white man and Sophia Mitchell, daughter of the said Sam. Mitchell and Molly his wife, as aforesaid, who were duly and legally married, on the 28th day of August, 1817, in the County of White, State of Tennessee as shown by their marriage certificate marked Exhibit "A" and made a part of this application. That he is a son of Wm. M. Hancock ^{a Choctaw Indian in exhibit B} and Mary Jane West, a full blood white woman, who were duly and legally married on the 3rd day of Dec. December, 1867, in the County of Clarke and State of Mississippi, as shown by their marriage certificate marked Exhibit "B".

ate marked Exhibit ^{see exhibit D} ~~bb~~ and made a part of this application.

Applicant further states that he was born in the County of ^{see exhibit D} Clarke, State of Mississippi, on the 27 day of May 1881, and he is of mixed descent, having one eighth (1/8) of Choctaw and seven eighths (7/8) of white blood, and that he has never heretofore made application for the rights and privileges of citizenship in the Choctaw Nation.

Applicant further states that his grandmother, the said Mrs. Sophia Turner, ^{formerly} nee Mrs. Hancock, nee Miss Sophia Mitchell, was a citizen of the said Choctaw Indian Nation; that she was enrolled as such and lived in said Choctaw Indian Nation for many years before her death which transpired on the day of A.D. 1885 in the Shelburne, Sherman, N. Y.

Applicant further states that he can prove, if permitted to do so, the facts herein contained to be true as stated in this his application by the hereto attached affidavits marked exhibits "A" to "D" in which he desires to make a part of this application.

Charles Rushing Hancock

STATE OF MISSISSIPPI,
~~Lauderdale~~ County.

Personally appeared before me, ^{B. White} ~~C. C. Fordell~~, Clerk of the Chancery Court of ^{Lauderdale} ~~Clarke~~ County Lehor's Rushing House, who states that the facts contained in the foregoing application are true as stated, and acknowledges that he signed said application.

Signed and acknowledged in triplicate
from this the 17th day of August, A D 1896.

B. White
Clerk.

BARTON & LOGSDON,
ATTORNEYS-AT-LAW,
P. O. BOX 202.

C. O. BARTON,
S. C. LOGSDON.

Affidavit Southern District, I.T.

This day appeared before me C.O. Barton who being duly sworn, state that he is an attorney of the Pauls Valley, Bar and represents *Charles Hedding Hancock* who is applying for enrollment as a Choctaw Indian citizen; That he has made diligent effort to secure certified copies of the marriage certificate of Jubal B Hancock and Sophia Mitchell and has wholly failed to secure but one of said certificates which was made on the 12th day of September 1857 and which he has filed the same day of the filing hereof with the papers and applications for citizenship and enrollment of Mrs. Josephine Willie Blanche Hussy Nee Josephine W.M. Hancock *marked and used to which you are hereby referred* he herewith files in lieu of said certified marriage certificate a copy thereof made by him which is as follows; State of Tennessee White County; to the regular minister of the Gospel having the care of souls or that Justice of the Peace these are to authorize you or either of you to solemnize the rites of matrimony between Mr. Jubal B. Hancock and Miss Sophia W. Mitchell of your county agreeably to the direction of an act of Assembly in such cases as are provided, PROVIDED always that the said Miss Sophia W. Mitchell be an actual resident in the county, otherwise these shall be null and void and shall not be accounted any license or authority to you or either of you for the purposes aforesaid save that the same had never been prayed or granted etc. Given at the Clerk's office of said county court this 28th day of August 1917 Jacob A. Lane clerk of White County Court.

The rites of matrimony were celebrated between the within pair at the house of Major William Mitchell in the county of White on the 20th day of August 1917 in the presence of 50 respectable witnesses and me, Turner Lane, Justice of the Peace. (seal).

State of Tennessee, White County. I George Lirrrell, Clerk of White County Court hereby certify that the above is a true and perfect copy of the original marriage license of Jubal B. Hancock and Sophia W. Mitchell together with the return of the magistrate thereon all of which now on upon record in my office. I further certify at the date of said marriage Turner Lane was an acting Justice of the Peace in and for said county. In testimony whereof I have hereunto set my hand and affixed the seal of said court in Sparta, this 12th day of September A.D. 1957. G.G. Lirrrell, Clerk of White County Court.

Southern District, I.T. I hereby certify the above and foregoing is a true and perfect copy of the instrument of writing above set forth and that all the *statements made* are true.

C. O. Barton

Subscribed and sworn to before me this the 27th day of August 1956.

L. W. Barnett

Notary Public Southern District.

Filed & B

STATE OF MISSISSIPPI

Clarke County.

Know all men by these presents, That we Wm'M'Hancock and Wm McDonald, are held and firmly bound unto the State of Mississippi in the sum of Two Hundred Dollars, lawful money of the State, to which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators, each and every one of us and them jointly and severally firmly by these presents.

Sealed with our seals and dated this the Third day of December eighteen hundred and sixty-seven'

The condition of this obligation is such that whereas a marriage is shortly intended to be celebrated between the above bound Wm. M.Hancock and Mary Jane West' Now, if there is no lawful cause to obstruct the said marriage, then this obligation to be void, otherwise to remain in full force and effect virtue.

Wm'M'Hancock, (Seal.)

Wm McDonald. (Seal.)

Attest:

G'M'Massingale, Clerk

STATE OF MISSISSIPPI
Clarke County.

To any Judge, Minister, Justice, or other persons lawfully authorized to solemnize the rites of matrimony:

You are hereby authorized to celebrate the rites of matrimony between Wm'M'Hancock and Mary Jane West, of said County; and you are hereby required to transmit to the undersigned, Clerk of the Probate Court of said County, or his successor in office a certificate of the mar-

-:2:-

riage of said parties within six months after the celebration of same.
Herein fail not under the penalty in such cases provided.

Given under my hand this the 3rd day of December, 1867.

G.M. Massingale,

Clerk of Probate Court,

Clarke County.

By virtue of a license from the Clerk of the Probate Court of said
County, I this day joined in the holy state of matrimony, Wm. M. Hancock and
Mary Jane West.

Given under my hand this the 3rd day of December, 1867.

T. S. West, M. G.

Recorded December 24th, 1867.

G.M. Massingale, Clerk

State of Mississippi,
Clarke County.

I, B. H. Donald, Clerk of the Circuit Court of said County, certify
that the foregoing is a true and correct copy of a marriage license is-
sued to the parties therein named and that the certificate of marriage
is a true and correct copy of same as appears on the Book of Record of
Marriages on g file in my office.

WITNESS my hand and seal of office this the 5th day of August, 1898.
in duplicate form.

B. H. Donald
Circuit Clerk.

6

STATE OF MISSISSIPPI
County of Clarke.

Personally appeared Wm. M. Hancock, Clerk of the
County Court of said County and State, J. C. Bailey
and J. S. Thompson who being duly sworn, depose and say that the follow-
ing facts are true as stated, to-wit:-

That Wm. M. Hancock was lawfully wedded to Josephine Lilly on the 19th day of December, 1881, in the City of
New Orleans, Parish of Orleans, and State of Louisiana, and that
from this marriage there resulted as follows, to-wit:-
A daughter, born on the ¹⁹th day of ~~May~~ ^{May}, 1884, in Quitman
County of Clarke and State of Miss., whose
name is Jessamine Wilhelmina Hancock, now Wm. M. Hancock,
and whose post office address is care of Wm. M. Hancock, Louisiana.
Deponent further states that Josephine Lilly, now Wm. M. Hancock,
the wife of Wm. M. Hancock, deceased, was wedded
this life to-wit:- on the 19th day of December, 1881, in the Parish of
Clarke and State of Louisiana, and that the same, to-wit:-
on the 19th day of December, 1881, in the Parish of Clarke and
State of Mississippi, to the said Wm. M. Hancock, was duly and le-
gally married to one Miss Mary Jane West, and that from this
marriage of the said Wm. M. Hancock and his wife Mary Jane West
aforesaid, there resulted issue as follows, to-wit:- Wm. Mitchell
Hancock Jr., born in Quitman County, Mississippi, on the
13th day of June, A.D. 1889; Frank Henry Hancock, born in Quit-
man, Clarke County, Mississippi, on the 1st day of June, 1890;
Charles Rushing Hancock, born in Quitman Clarke County, Miss-
issippi, on the 25th day of May, 1881, said parties being boys of
the said Wm. M. Hancock, and his wife Mary Jane West aforesaid;
and a daughter named Sarah Mary Hancock, born in Quitman,

(2)

Clarke County, Mississippi, on to-wit:- January 7th, 1876, and
that their present post office address is Meridian, Lauder-
dale County, Mississippi.

Sworn to and subscribed
before me this the 15 day
of August, A. D. 1896, in triplicate
C. C. Ferrell
Clerk

W. H. Thompson
J. S. Thompson

STATE OF MISSISSIPPI
Clarke County.

Personally appeared before me, C. C. Ferrell, Clerk of
the Chancery Court of Clarke County, and State of Mississippi
C. A. Arnold who after being duly sworn
by depose and says that he knows the above affiants and
that they are in every sense credible witnesses and worthy
of belief.

Sworn and subscribed to
this 15 day of Aug 1896, in triplicate
C. C. Ferrell
Clerk

C. A. Arnold
C. C. Ferrell

BARTON & LOGSDON,
ATTORNEYS-AT-LAW
P. O. BOX 26.

D. C. BARTON
E. C. LOGSDON

1
Exhibit "E"
AFFIDAVIT, Southern District, Ind. Ter.

This day personally appeared before me David McKnight Spain and after being duly sworn states that his Post Office address is White Bead Hill, I.T. ; That he is the nephew of Judge William M. Hancock and Mrs. Caroline Roe of Miss. both now deceased ; That they were the brother and sister respectively of your affiant's mother Mrs. Mary M. Spain Ne Miss Mary M. Hancock ; That the said Judge William M. Hancock, Mrs. Caroline Roe Nee Miss Caroline Hancock and Mrs. Mary M. Spain Nee Miss Mary M. Hancock were the son and daughters of Hephia Mitchell and Jubal B. Hancock formerly of Miss. now deceased.

Witness my hand this the 26th day of August 1896.

David McKnight Spain

Subscribed and sworn to before this the 26th day of August 1896.

E. C. Logsdon

Notary Public Southern District, I.T.

Exhibit B.F

STATE OF MISSISSIPPI,
Clarke County.

Personally appeared before me, C. C. Ferrell, Chancery
Clerk of Clarke County and said State, John D. Thompson and C. P.
Bailey, personally known to me as credible persons, who say upon
oath that they know Mrs. Mary J. Hancock (nee Miss Mary J. West)
and that she was the legally wedded wife of Wm. M. Hancock, recently
deceased, and that the following named children were born to them
in wedlock, W. M. Hancock, Jubal A. Hancock, Sophia Hancock and C. R.
Hancock, which children are now living.

Sworn and subscribed to
in duplicate forms,
this the 15th day of August, 1896.

C. C. Ferrell
Clerk

C. P. Bailey
J. D. Thompson

STATE OF MISSISSIPPI,
Clarke County.

Personally appeared before me, C. C. Ferrell Clerk of the
Chancery Court of said County and State
C. R. Bailey and J. S. Thompson who say upon oath
that the following named parties, Wm. M., Jubal A., Soppie M., Chas. R.
and Josaphine W. E. Hancock are personally known to them, and that
generally
they are known and recognized as the children, born in lawful
wedlock, of their respectively alleged parents in the communities
wherever they have lived.

Sworn and subscribed to this
the *15th* day of August, 1896, in
Clarke County
C. C. Ferrell
Clerk.

C. R. Bailey
J. S. Thompson

AFFIDAVIT. Chickasaw Nation, Indian Territory.

This day personally appeared before me David McKnight Spain and Thomas Spain to me personally well known and depose and say: We live near White Bead Hill, Chickasaw Nation, I.T. We are citizens of the Choctaw Tribe of Indians, duly enrolled and draw our annuities by virtue of such citizenship, having been admitted to citizenship by an act of the General Council of the Choctaw Nation, by Bill No. 39, An act entitled "An act to confer citizenship upon Mary M. Spain and others" which became a law by its own limitation Oct. 31st. 1877.

We know Mrs. Sophia Hancock was the daughter of Samuel Mitchell and Mollie a full MIX blood Choctaw woman. She was of Choctaw blood, being one-half Choctaw and one-half white blood. She was enrolled and drew her annuity as a Choctaw citizen. She was our Grandmother, being the mother of our mother Mrs. Mary M. Spain, formerly Miss Mary M. Hancock. We hold our citizenship in said Choctaw Nation by virtue of this relationship to said Mrs. Sophia Hancock, Afterwards Mrs. Sophia Tyner. Mrs. Tyner Nee Mrs. Sophia Mitchell died near Ft. Washita about the year 1867. We have no interest in the claims for citizenship of the heirs of Mrs. Caroline Roe and Judge William M. Hancock.

Witness our hands this the 2nd day of August 1896.

David McKnight Spain

Thomas Spain

Subscribed and sworn to before me this the 2nd day of August 1896
Notary Public Southern District.

Mr. Citizens by good Choclow Notary Public
James M. Smith Spain Thomas Spain are
reputable & credible Choctaw Citizens of
high Character & standing & Zach Gardner
& Emma F. Fisher

STATE OF MISSISSIPPI

LAUDERDALE COUNT .

Personally appeared before me, B.V. White, Clerk of t
the Chancery Court of said County and State Charles R. Housh
who says upon oath that he is the grand son of Mrs. Sophia Tyner,
nee Mrs. Sophia Hancock nee Miss Sophia Mitchell to the best of his
knowledge and belief.

Sworn to and acknowledged in triplicate
form this the 17th day of Aug. A.D. 1896.

B. V. White Clerk.

Application
for
Choctaw
Enrollment &c.
Charles Rushing Hancock.

Presented

C. D. Barton,
Atty. for Applicant,
Cauls Valley,
I. T.

No.

—CLAIM OF—

Chas R. Hancock

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct 7 96

H. W. January

Sing

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Charles R. Hancock

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

There is no evidence in this case except that of interested witnesses.

The evidence shows that claimants live in the state of Mississippi; have never lived in the Indian Territory, and does not show that they intend to live there.

Charles R. Hancock.

The Choctaw Nation
By *Stuart Gordon Hailey*
Its Attorneys.

End

1896 Choc 1375

1896 Choc 1375

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

J. A. Hill et al

No. 135 vs.

Choctaw

NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of *J. A. Hill et al* to be enrolled as members of the *Choctaw* ~~Chickasaw~~ Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 30 day of Jan, 1897.

Jose W. Phillips

CLERK.

#135

#1375-2

J.H. Hill or ds

or

Choctaw Nation

✓

✓

#135

No. 1875

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. H. Hill & Co.

vs. Choctaw Nation.

Received and filed this day of 189.

Secretary.

RECEIVED FOR PRINT PORT SMITH.

FEB 22 1897

[Handwritten signature]

J. N. Hill et al. vs. Choctaw Nation, as follows:

Application & Residence
Aus. _____
Certified ^{Copy} Entries &
Judgment

WITNESS my hand and official seal at Ardenmore
this the 22 day of Feb 1897
Joseph Philip
Clerk

End

1896 Choc 1376

1896 Choc 1376

Executive Office,

Choctaw Nation.

JEFF. GARDNER,
PRINCIPAL CHIEF.

Waghtown Ind. Ter., Sept 17th 1896
To the Commission.

To the Five Civilized Tribes
This is to certify that
the verified copy of an application
affidavits etc. for the rights of
citizenship in the Choctaw
Nation were received from
~~Lawrence H. Frank~~ John H. Estwood
applicant
at this office on the 7th day of
Sept. 1896.

In Testimony whereof,
I have hereto signed my
name and caused the Seal
of this Nation to be affixed
at the Executive Office of the
Choctaw Nation, on the day &
year first above written

Jeff. Gardner
P. C. C. N.

L. L. Battist
Private Sec.

To the Honorable Commission
To the five Civilized Tribes
Vinita In Teri

The application of the undersigned
Citizen of the United States respectfully
represents that John Henry Peworth
is a Rightfull applicant for the rights
of Citizenship in the Choctaw nation
The said John Henry Peworth is a
one quarter breed Choctaw Indian
being the legal heir of Joseph Peworth
a son of Patsy Peworth (M. Can) who is
a half breed Choctaw Indian recognized
as such by the constituted authority of the
Choctaw Nation ~~and~~ draw the annuity
moneys with other Choctaw citizens
by blood and whence his name is on
the old annuity record the said Joseph
Peworth (a son of Patsy Peworth M. Can
a full blood Choctaw Indian woman
whose name was Patsy Peworth
M. Can who in her life time enjoyed
all the privileges and immunities of
the Choctaw Nation as citizens of said
nation the said John Henry Peworth
have once in the year of 1876
Established a sufficient proof that
he was a ^{one} quarter breed Choctaw Indian
before the court of commissioners at
Lakefatah Ind. Teri, and draw the net
proceeds money when paid to the
Choctaws by the United States government
But the said John Henry Peworth moved
into the State of Arkansas and he remained
there several years and upon return
Law of the nation was such that he
must reestablish his rights of Citizenship
in the said nation this he has not
succeeded

Wherefore all the afforsaid premises
considered the under signed Claimant
ask of your Honorable body to pass upon
his claim for citizenship and enroll his name
for the undersigned Claimant will in duty
bound forever pray etc.

attest to mark

Asa Townsend

witness

Wm M. Blythe

May A. Brown

John Henry ^{his} Peabworth
mark

State of Arkansas Clark County
Personally appeared before me Asa Townsend
a Notary Public within and for the
afforsaid County John Henry Peabworth
who being duly sworn say on oath
that he is the ^{original} Claimant for citizenship
in the Choctaw Nation in the afforsaid
application and that the same has
been duly read me the same is true
and correct upon his information and
belief

Sworn to and subscribed ^{his} John Henry Peabworth
before me the 2nd Sept. 1896 Asa Townsend
My Commission mark
Expires Mar 27th / 1896 Notary Public

State of Arkansas County of Clark
Personally appeared before me
Asa Townsend a Notary Public
in and for the County aforesaid
W M Bloorn aged 48 years whose post
office address is Arradelphia Arkansas
who deposes and says that he is a
acquainted with John Henry Pebworth
and knows him to be a one quarter
breed Indian ^{Choctaw} being the legal heir
of Joseph Pebworth a half breed ^{Choctaw} Indian
who is a son of Pacy Pebworth, M. Can
who was a full Blood Choctaw Indian
woman ^{and} was recognized a citizen
by the Choctaw Authority The Patsy Pebworth
who was the mother of Joseph Pebworth
and it readily seen that the John Henry
Pebworth is a one quarter Blood Choctaw
Indian

W M Bloorn

Attest Asa Townsend
Subscribed and Sworn to before me
2nd day of Sept 1896 Asa Townsend n.
My Commission
Expires March 27th 1897 Notary Public

Application of ³⁷
John Henry #.
Pebworth

vs
Choctaw

Filed Sept 19th
1876

J. M. Jacobson
Secy

Arkadelphia
Oct 16

State of Arkansas County County of Clark
personally appeared before me Asa Townsend
a Notary public in and for the County of
Mary A Clower aged 67 years whose post
office Address is Arkadelphia Arkansas
Who deposes. Says that she is acquainted
with John Henry Peabworth and knows him
to be a one quarter Breed Choctaw Indian
being the legal heir of Joseph Peabworth a
half Breed Choctaw Indian who is a son
of Patsy Peabworth formerly McCann
who was a full Blood Choctaw Indian woman
and Recognized a Citizen by the Choctaw
Authority the Patsy Peabworth who was
the mother of Joseph Peabworth and it is
truly. the Henry Peabworth is a
one quarter Breed Choctaw Indian
Mary A Clower
mark

Attest Asa Townsend
(Seal) Subscribed and sworn to before
me. 2nd day Sept 1896 Asa Townsend N.P.
My Commission
Expires March 27-1897 Notary Public

application of ³⁷⁶ #4413
John Henry
Pebworth

vs
Choctaw

Filed Sept 9th
1876

Am. Jacobson
Arcy

Arkadelphia
Oct 16

POOR ORIGINAL -
BEST AVAILABLE COPY

NO.....

—CLAIM OF—

Henry Pebworth

For Choctaw Citizenship.

ANSWER.

Filed Oct. 9, 1896.

St. M. J. J. J. J.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Henry Pebworth .

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The proof in this case is not sufficient to establish claimants rights. The evidence shows that the ancestor, from whom he claims Indian blood, lived and died in the State of Arkansas, and that the claimant himself now lives in said State, and has long since abandoned any rights he may have had in the Choctaw Nation, and has never affiliated with said tribe.

By *Stuart Gordon Whitley*
Attorneys.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1896 Choc 1377

1896 Choc 1377

65

No. 1377

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Rebecca Harris & M

VS.

Chockaw

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR POST OFFICE

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of
Rebecca C. Harris vs. *Choctaw* Nation, as follows:

Application
Answer
Judgment

WITNESS my hand and official seal at

this the *27* day of

July 189*7*
W. H. Jacoway, Jr.

No. 1377
Rebecca Harris Eld
Choctaw Nation

JUDGES.
C. L. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ATOKA.
G. E. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

**United States Court in the Indian Territory,
Central District.**

P. H. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., Jan. 27 1897

To the honorable James Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that Rebecca Harris et al.
has taken an appeal to this court from the decision rendered by you
on the application of Rebecca Harris et al.

vs the same decision, for enrollment as a citizen of said Nation.

You will at the earliest time practicable, transmit to this court
a transcript of all the entries on your docket relating thereto, to-
gether with the original papers, depositions and testimony therein,
and your decision on said application.

Yours very respectfully.

P. H. Stoner
Clerk

End

1896 Choc 1378

1896 Choc 1378

And Unto

County of Blue
personally appeared before me one
Mr John Harris Depaw, & says
That he is the Son of W. A. Harris
whose papers are now on file in the
office of the National Secretary of
the Choctaw Nation and that he
is the Husband of Mary Harris
and the father of 2 Children
by the name of William Harris
and Estella Harris
and I pray them to be
enrolled as Citizens of the
Choctaw Nation
witness my hand this 8/8/96
John Harris

Subscribed & Sworn to before
me this 8/8/96

J. D. Kune
Notary Public
for Central Ind. & Co.

Choctaw Nation

I and Quinter

personally appeared before me and
Mr. W. H. Harris Deposes and says
That he is the Father of 12 Children

known by the following names

C. H. Harris & J. M. Harris

Long Harris & M. E. Harris

A. B. Harris & B. H. Harris

O. B. Harris & J. M. Harris

Justie Harris & Dan Harris

and I further state that my papers

is on file in the office of the

National Secretary of the Choctaw

Nation. I sign them & he adopted

with my hand This 8/6/96

W. H. Harris

Subscribed & sworn to before me

This 8/6/96

A. P. Kene

Notary Public

for central part Dist

D. 57

Choctaw Nation

I find further

personally appeared before me one
Mr. W. H. Harris Deceased and says
That he is the Father of 12 Children
known by the following names

E. H. Harris	&	J. M. Harris
Long. Harris	&	M. E. Harris
John. Harris	&	B. H. Harris
A. S. Harris	&	J. M. Harris
O. B. Harris	&	Sam. Harris
Justie. Harris	&	Bessie Harris

and I further state that my papers
is on file in the office of the
National Secretary of the Choctaw
Nation. I signed them & he adopted
with my hand this 8/8/96
W. H. Harris

Subscribed & sworn to before me
this 8/8/96

A. P. Kune
Notary Public
for central part of
A. S.

No. 1378

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

W. H. Harris & Co

VS.

Choctaw - Nation.

Received and filed this day of

189

Secretary.

RECEIVED FOR THE SECRETARY

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of

W. H. Harris et al. vs. *Choctaw* Nation, as follows:

Copy of Judgment -
Answer -
Original papers -

WITNESS my hand and official seal at

this the *13th* day of

So. McAlester
March 189*7*
W. H. Harris
Clerk

No 1378.
W. H. Harris
vs
Choctaw Nation

To The Honorable Dawes Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that _____
has taken an appeal to this court from the decision rendered by you
on the application of _____
as The Choctaw Nation, for enrollment as a citizen of said Nation.
You will at the earliest time practicable,
transmit to this court a transcript of all the entries on your docket
relating thereto, together with the original papers, depositions and
testimony therein, and your decision on said application.
Yours very respectfully,

Clerk.

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
G. R. EDWARDS,
ANTLER.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ANTLER:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., *Feby. 3* 1897.

To The Honorable Dawes Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that *The Choctaw Nation*
has taken an appeal to this court from the decision rendered by you
on the application of *W. H. Harris*
vs The Choctaw Nation, for enrollment as a citizen of said Nation.

You will at the earliest time practicable,
transmit to this court a transcript of all the entries on your docket
relating thereto, together with the original papers, depositions and
testimony therein, and your decision on said application.

Yours very respectfully.

P. B. Stoner
Clerk.

End

1896 Choc 1379

1896 Choc 1379

No. 1379

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Ann Thompson

VS.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

EDWATON JOE PRINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of
Ann Thompson vs. *Choctaw* Nation, as follows:

Application
Judgment

WITNESS my hand and official seal at *Sealester*
this the *17* day of *July* 189*7*.
J. H. Blawie

No 1379

Ann Thompson & Al

Choctaw Nation

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
G. E. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., *July 1st* 1897.

To The Honorable James Commission,

Fort Smith, Ark.

Sir:

You are hereby notified that Ann Thompson et al.
has taken an appeal to this court from the decision rendered by you
on the application of Ann Thompson et al
Commission No 1349.

vs the Choctaw Nation, for enrollment as a citizen of said nation.

You will at the earliest time practicable, transmit to
this court a transcript of all the entries on your docket relating
thereto, together with the original papers, depositions and testimony
therein, and your decision on said application.

Yours very respectfully.

P B Stoner
CLERK.

End

1896 Choc 1380

1896 Choc 1380

REGISTRY RECEIPT.

Post Office at

Northboro, Ind. Ter.

Registered Letter
Parcel

No. 133

Rec'd

9/9

1896

of

A. F. Ross
H

addressed to

Jefferson Gardner
Leighton
H. Martyn

I J. W. Vawter do solemnly swear
that on the 9th day of September 1896
I saw a package at the Post office at
Hart House Indian Territory addressed to
Jefferson Gardner. Cayle town I. T.
I had registry receipt ~~not~~ received from
Postmaster thereto attached is a receipt
for said package which contained three
copies of the application of ~~Robert Williams~~
Et al and of the affidavits of ~~Attorney~~
~~R. Moore Wood~~ ~~Dillon~~ ~~Willis~~ ~~William~~
Crim and marriage license in support
of same

J. W. Vawter

Subscribed and sworn before me on this
the 9th day of Sept 1896

A. Frank Rapp
Notary Public

My dear Sir or Gentlemen
To the Hon House Commission
Your petitioner Sam Snider
state that he is an intemarrd
Cherokee citizen and enjoy
all rights benefits and
privileges as such citizen
That I was lawfully married
unto Emerline Lewis on the 30th
day of Aug - 1890 in the Cherokee
Nation and we have since
lived together as husband and
wife. Furthermore that she
my said wife Emerline
Snider is a Cherokee citizen
by blood and has enjoyed
all rights and privileges as
such We have one child named
Bessie Snider which is one
year old. I refer you to
the following affidavits and
certificates Exhibit A, B, & C.
to substantiate his claim and
further express your petitioner
prays that his name and the name
of his boy Bessie Snider that they
may enjoy all rights, benefits
and privileges of other Cherokee
citizen by blood

Respectfully signed
Saml. T. Snider
Sworn to and subscribed to
before me on this Sept 27th 1896
A. Frank Rapp
Notary Public

Snider

County Judge office
Hatchman, T.T.

Marriage certificate

This is to certify that I united
Mr. Sam Snider & Mrs. Emeline
Lewis in holy bonds of matri-
mony according to the laws of
the Choctaw Nation in
Gaines County

Gives under my hand &
seal - (Seal) This the 3rd day of
August A.D. 1896

S. P. Nelson Co. and
Probate Judge of
Gaines County D. N.

This is to certify that this is a true
copy of the original.

A. G. Ruff
Notary Public

Marriage License

Know all men by these presents
that license is here by granted
unto Sam Snider a citizen
of the United States age 37
yrs. To marry one Everline
Lewis a citizen of the Choctaw
Nation age 40 yrs. and any
minister of the Gospel or Judge
of the Court in the Choctaw Nation
is hereby authorized to perform
the bonds of Matrimony which
marriage will confer on him
the rights of citizenship as
an adopted Choctaw.

He having complied with all
requirements of
the laws of the Choctaw Nation
Given unto my hand and
seal of office on this 29th day
of Aug. 1896

J. Nelson

County clerk

Choctaw Nation D.T.

Barber County

{ Certificate of marriage }

1380

~~6592~~

Samuel Snider
7

Choctaw Nation

FILED SEPT. 9 1890

A. S. McKENNON

COM 'R'

Adm'd

Intermaried Citizens —
a child, blood

G.

Choctaw Nation,
Central Dist. } Affidavit of
Ind. Ter. } Wm Erwin

Personally appeared before me a Notary
Public for the above named Dist and, Ter,
one Wm Erwin who after being sworn by
me deposed and says

I am well acquainted with the petitioner
Sam Snider and his wife Emeline
Snider and know that the latter is a
Choctaw by blood and enjoy all rights
benefits and privileges as such
I also know that the foresaid Sam
Snider is an intermarried citizen of the
Choctaw Nation that he and his said
wife, Emeline Snider were married
according to the laws of the Choctaw
Nation and that they have since
said marriage lived together
as husband and wife

Wm Erwin
Mark

Sworn to and subscribed before
me on this 8th day of Sept 1896
A J. R. R. R.
Notary Public

(1380) 1430

NO.....

CLAIM OF
Sarah Y. Snider et al
for Oregon Citizenship

ANSWER.

FILED
E. J. COV
SE RETARI-

STUART, GORDON & HAILEY, Attorneys.

Sam L. Childers et al
IN THE MATTER OF THE CLAIM OF

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

There is no evidence that the claimant has ever been dis-
puted by the Choctaw Nation.

This claim was received by Gov. Sam L. Childers, Sept. 13, 1900.

The Choctaw Nation

By *Stuart Gordon Bailey*
Its Attorneys.

No.

—CLAIM OF—

Sam Snider et al.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1926.

H. W. Freeman
Scri.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Sam Spider et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case fails to show that the applicants are one-eighth blood Choctaw Indian, or that they reside in the Indian Territory.

The Choctaw Nation
By Stuart Gordon Hensley
Its Attorneys.

End

1896 choc 1381

1896 choc 1381

REGISTRY RECEIPT.			
Post Office at	Loudon, Tenn.		
Registered Letter	No.	Rec'd	Sept 1 st , 1896
of	Henry Sutherland		
addressed to	Gov Jefferson Gardner Eagle Creek Tenn		
	J. L. Harris, P.M.		

I J. L. Harris state on my oath, ^{that} I saw Henry Sutherland Register a letter ^{of} Gov. Gardner of the Choctaw Nation containing a copy of ^{my Sutherland} his application for citizenship and the evidence in behalf of same the Postmaster receipt No 65 that was given for the above named letter is attached hereto.

J. L. Harris
 Subscribed and sworn to before me on this 1st day of Sept 1896
J. L. Reppel
 Notary Public.

No 826

1251

Henry Sutherland

or

Cherokee Nation

Filed Sept. 9th 1894

A. S. McKinnon

Corn

Repealed

Cherokee

Caddo Ind Ter
To The Hon^d Dawes Commission
Winita I T
Gentlemen

Your applicant
would respectfully ask to be enrolled
as a citizen of the Choctaw Nation
Indian Territory, claiming title to
curre under Act No 8 of the General
Council of the Choctaw Nation ap-
proved April 8th 1891 P-320 Laws of
said Nation Admitting certain
Mississippi Indians to Citizenship
in said Choctaw Nation. Also
refer you to Article 26th of the Treaty
between the United States and the
Choctaw Nation in the year 1866, and
And for other reasons and on other
grounds your applicant claims
title to enrollment for the following
viz That prior to and at the passage
of the above named Act April 8th 1891 of
the Choctaw ~~Nation~~ Council your
applicant was, and continues to be
to the present ~~the~~ ^{his} law-~~ful~~ ^{ful} hus-
band of Mrs Lena Sutherland ^{Choctaw} one of
the parties named in the above
recited Act your applicant having
married said Lena Sutherland nee
Bilbe in the State of Mississippi Aug 20th 1884
(over)

POOR ORIGINAL -
BEST AVAILABLE COPY

in accordance with the laws of said
State, and your applicant would fur-
ther state, that since the approval of
the above named Act, that he has
been all along recognized and treated
as an inter-married Indian citizen
exercising and enjoying rights
& privileges as belong to such citizens
of said Choctaw Nation

The substantiation of these facts, see
Marriage Certificate & the affidavits
of C. A. Wilks & M. F. Robinson

hereunto annexed

Henry Sutherland
Subscribed and sworn to before me on
this 1st day of Sept 1846

J. Rappley
Notary Public

State of Mississippi,

County of Madison.

By Virtue of a License from the Clerk of the Circuit
Court of said County, I have this day celebrated

The Rites of Matrimony

between Mr. Henry S. husband
and Miss Lena Bilbo

Given under my hand and seal, this 20th
day of Aug 1884

W. A. Alexander Seal

STATE OF MISSISSIPPI,
COUNTY OF MADISON.

OFFICE OF THE CLERK OF THE CIRCUIT COURT.

THIS IS TO CERTIFY, that the above is a true copy of the Certificate of Marriage
now on file in my office, and recorded in Marriage Record No. "K" at page 109

Given under my hand and seal of said Court, at Canton

Miss., this 28th day of Aug 1896

M. Allen

Clerk of the Circuit Court.

By E. R. Allen Deputy.

affidavit of M. F. Robinson. To be read
before the District Court mission of the
District in behalf of Henry Sutherland
for a citizenship of the Cherokee Nation
The Affiant being duly sworn deposes
and says I am 40 years old my post-
office is Caddo I, P. I am an Indian
citizen by blood. I have known Henry
Sutherland since 1841 Mrs

Sutherland land was then known as a
Cherokee by blood who had recently
proved her rights & is yet so known
as a Cherokee Indian by blood. I know
that the said Sutherlands sustained them,
old partners of husband and wife and
have ever since. During all of said
time the said Henry Sutherland
has been regarded as an intermar-
ried citizen exercising all the rights
and privileges of such citizens.

I am Judge of the County Court
of Blue County Cherokee Nation.

M. F. Robinson

Subscribed and sworn to before me on
this the 1st day of Sept 1846

J. Rappole
Notary Public

Affidavit of C. A. Bilbo to be used be-
fore the District Commissioner of the
Five Tribes on behalf of Henry Sutherland
for citizenship of the Choctaw Nation
The affiant being duly sworn deposes &
says I am ... years old an Indian
citizen by blood my post Office Caddo
I. T. I am acquainted with Henry
Sutherland the party making applica-
tion for citizenship to the Choctaw Na-
tion. I know him to be the lawful
husband of Lena Sutherland nee Bilbo
one of the parties admitted to citizen-
ship of the Choctaw Nation by the Choctaw
Council in the year 1891. I was pres-
ent at the marriage of Henry Sutherland
& Lena ~~Sutherland~~ nee Bilbo in Canton
State of Mississippi a little over 12 yrs
ago. I also know that the said Suther-
land has been known and recorded
as an intermarried citizen of the Cho-
ctaw Nation since 1891 And that
he has during all of this time exer-
cised rights & privileges such as are only
known to be exercised by citizens I am the
brother of the above named Lena Sutherland

Subscribed and sworn to before me on this the 1st day of Sept 1893

C. A. Bilbo
Notary Public.

NO.

CLAIM OF

Henry Sutherland.

For Choctaw Citizenship.

ANSWER.

722 Oct. 9, 96

St. Louis, January 1907

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Henry Sutherland.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The proof in this case is wholly insufficient, and the
claimant has failed to file a copy of the act of the Choctaw
Council mentioned in his application.

The Choctaw Nation
By *Stuart Green Bailey*
Its Attorneys.

End

1896 choc 1382

1896 choc 1382

Affidavit of Wilbur

On the matter of petition & memorial
of William Smith admission to citizen-
ship in Choctaw nation

State of Mississippi
County of Montgomery }

Before me the undersigned Notary
Public in & for said County & State
aforesaid personally appeared W. H.
Brantlett who after being duly sworn
by me states that he is 62 years of
age resident of the State of Missis-
sippi & County of Choctaw & that he
is personally acquainted with William
Smith who is an applicant for citizen-
ship in the Choctaw nation. Affiant
further states that he knows William
Smith to be a grand son of Henry
Box who claimed to be of Choctaw
Indian blood what part I do not
know I was personally acquainted
with him & have often heard him
speak of his Indian ancestors of whom
he was proud. He was born in Penn-
sylv about the year 1800 came from
through Alabama with a troupe of
Indians to Holmes county Mississippi
about 1826 from thence ~~the~~ Choctaw

County Mississippi about 1830 & died
in said County in 1867. Affiant further
states that ~~the~~ ^{he} has ~~the~~ said William
Smith for the past 37 years & know
that he has been & is recognized by his
neighbors acquaintances & the public
generally as having Choctaw Indian
blood & that the complexion & physical
appearance of the said William Smith
indicates that he is of Choctaw Indian
blood & descent. Affiant further says
that from the above facts & circumstances
& from what he has heard & knows of
the family of the said William Smith
he ~~believes~~ ^{believes} him to be a descendant
by blood of the Choctaw Indian tribe

FRAME 1

W. H. Brantlett

Sworn to & Subscribed before me this
Sept- 1st- 1896

J. J. Wilgus Jr.
Acting Notary Public

Corn. Expense A. S. 1896

Affidavit of Wilbur
On the matter of petition & memorial
of William Smith admission to citizen-
ship in Choctaw nation
State of Mississippi
County of Montgomery }
Before me the undersigned Notary
Public in & for said county & state
aforesaid personally appeared W. H.
Brantlett who after being duly sworn
by me states that he is 62 years of
age, resident of the State of Missis-
sippi & County of Choctaw & that he
is personally acquainted with William
Smith who is an applicant for citizen-
ship in the Choctaw nation. Affiant
further states that he knows William
Smith to be a grand son of Henry
Box who claimed to be of Choctaw
Indian blood what part I do not
know I was personally acquainted
with him & have often heard him
speak of his Indian ancestors of whom
he was proud. He was born in Geor-
gia about the year 1800 came from
through Alabama with a group of
Indians to Holmes county Mississippi
about 1826 from thence to Choctaw

County Mississippi about 1830 & died
in said county in 1867. Affiant further
states that he has ^{known} the said William
Smith for the past 37 years & know
that he has been & is recognized by his
neighbors acquaintances & the public
generally as having Choctaw Indian
blood & that the complexion & physical
appearance of the said William Smith
indicates that he is of Choctaw Indian
blood & descent. Affiant further says
that from the above facts & circumstances
& from what he has heard & knows of
the family of the said William Smith
he believes him to be a descendant
by blood of the Choctaw Indian tribe.

W. H. Brantlett

Sworn to & subscribed before me this
Sept. 1st - 1896

J. J. Kilgore J. P.
acting Notary Public

Comm. expires A. S. 1900

FRAME 2

Affidavit of Witness
 In the Matter of petition & Memorial
 of William Smith Admission to Citizen-
 ship in Choctaw nation
 State of Mississippi }
 County of Montgomery }
 Before me the undersigned notary
 Public in & for said county & State
 aforesaid personally appeared Mary
 Box after being duly sworn by me
 that she is 67 years of age &
 a resident of the State of Mississippi
 & the county of Montgomery & that she
 is personally acquainted with William
 Smith who is an applicant for citizen-
 ship in the Choctaw nation. Affiant
 further states that she knows William
 Smith to be a grand son of Henry Box
 who claimed to be of Choctaw Indian
 blood what part I can not say &
 was acquainted with him he was my
 husband father & have often heard
 him speak of his Indian ancestors
 He was born in Tennessee about the
 year 1800 came from there to Alabama
 from there to Holmes County Missis-
 sippi with a band of Indian in about
 1826 from there to Choctaw County

Mississippi about 1830 & died in said
 county in 1867 Affiant further states
 that she has known the said William
 Smith for the past 37 years & know
 that he has been & is recognized by
 his neighbors acquaintances & the public
 generally as having Choctaw Indian
 blood & that his complexion & physical
 appearance of the said William Smith
 indicates that he is of Choctaw
 Indian blood & descent Affiant
 further says that from the above
 facts & circumstances & from what
 she has heard & know of the family
 of the said William Smith she believe
 him to be a descendant by blood of the
 Choctaw Indian tribe

FRAME 1

Mary Box.
 Sworn to & subscribed before me
 This Sept. 1st 1896
 J. J. Hilgore J. P.
 Acting Notary Public

In the Matter of petition & Memorial
of William Smith Admission to Citizen-
ship in Choctaw Nation

State of Mississippi }
County of Montgomery }

Before me the undersigned notary
Public in & for said County & State
aforesaid personally appeared Mary
Box after being duly sworn by me
that she is 67 years of age &
a resident of the State of Mississippi
& the County of Montgomery & that she
is personally acquainted with William
Smith who is an applicant for citizen-
ship in the Choctaw Nation. Affiant
further states that she knows William
Smith to be a grand son of Henry Box
who claimed to be of Choctaw Indian
blood what part I can not say &
was acquainted with him he was my
husband father & have often heard
him speak of his Indian ancestors
He was born in Tennessee about the
year 1800 came from there to Alabama
from there to Holmes County Missis-
sippi with a band of Indian in about
1826 from thence to Choctaw County

Mississippi about 1830 & died in said
County in 1867 Affiant further states
that she has known the said William
Smith for the past 37 years & know
that he has been & is recognized by
his neighbors acquaintances & the public
generally as having Choctaw Indian
blood & that his complexion & physical
appearance of the said William Smith
indicates that he is of Choctaw
Indian blood & descent. Affiant
further says that from the above
facts & circumstances & from what
she has heard & know of the family
of the said William Smith she believe
him to be a descendant by blood of the
Choctaw Indian tribe.

Mary Box.

Sworn to & subscribed before me
This Sept-1st-1896

J. J. Milgore J. P.
Acting Notary Public

FRAME 2

4711/1882
w m ~~Smith~~
v. 1382
Shelton Watson

FILED SEPT. 9 1896. ☆
A. S. McKENNON
COM 'R'

Montgomery Co.,
Va.

Application for enrollment
 To Hon Henry L. Dawes Frank C Huntington
 Archibald S. McKinnon Thos. B. Cabanis
 & Alexander B. Montgomery, United States
 - Commission authorized by acts of Con-
 - gress of June 10th 1896 to hear & determine
 claims for citizenship in the Choctaw
 nation

Petitioner:-

The undersigned your petitioner
 or in behalf of William Smith &
 his children this day makes application
 to you for the purpose of being placed
 on the revised rolls of the Choctaw Indian
 & of those allowed to share in the distri-
 - bution of funds & allotment of lands in
 the Choctaw nation by virtue of their
 Choctaw blood & grounds upon which his
 claim is based are as follows to wit:

My grand father Henry Box was one
 quarter Indian My Mother Lallie Smith
 a daughter of Henry Box one eighth & my-
 self one sixteenth Indian & in support
 of said claim your petitioner herewith
 submits the affidavit deposition &
 second evidence namely of Mr H. Bram-
 - well & Mary Box awaits the time &
 place when my application shall be

heard & tried

Respectfully Submitted
 William Smith

Name	Age	Relationship
William Smith	37	Applicant
W. S. Smith	9	Son
W. S. & W. V. Smith	7	Twins Sons
Lallie Smith	5	Daughter
G. R. Smith	1	Son

FRAME 1

State of Mississippi
 Montgomery County

Personally appeared before
 me the undersigned a justice of the peace
 & acting Notary Public in & for said State
 & County the aforesaid William Smith who
 after being duly sworn stated that the matters
 & things set forth in the foregoing petition
 are true as he verily believes

William Smith

Sworn to & subscribed before me this
 the 1st of Sept: 1896

J. D. Wilson C. P.

My Grand father Henry Box was one
quarter Indian My Mother Lallie Smith
a daughter of Henry Box one eighth & my-
self one sixteenth Indian & in support
of said claim your petitioner herewith
submits the affidavit deposition &
second evidence namely of W. H. Bram-
lett & Mary Box awaits the time &
place when my application shall be

heard & tried

Respectfully Submitted

William Smith

Applicant

Name	Age	Relationship
William Smith	37	Applicant
B. G. Smith	9	Son
M. G. & M. W. Smith	7	Twins Sons
Lallie Smith	5	Daughter
G. R. Smith	1	Son

State of Mississippi
Montgomery County

Personally appeared before
me the undersigned a justice of the peace
& acting Notary Public in & for said State
& County the above said William Smith who
after being duly sworn state that the matters
& things set forth in the foregoing petition
are true as he verily believes

William Smith

Sworn to & subscribed before me this
12th of Sept: 1896

J. J. Kilgore J. P.

acting Notary Public

My term expires on the 1st of Jan. 1900

282 CIRCUIT CLERK'S CERTIFICATE TO J. P. & T. A. Knis Stationery Company. Printers, 118 and 120 Olive Street, St. Louis. Class F.

The State of Mississippi,

Montgomery COUNTY.

I, J. S. Carrum

Clerk of the Circuit Court of

said County, do hereby certify that

J. J. Kilgore

whose genuine signature appears to the annexed certificate, is now, and was at the date thereof,

an acting Justice of the Peace, in and for said County, duly elected, qualified and commissioned,

that his certificate is in due form, and that all his official acts are entitled to full faith and credit.

His Certificate expires on the 15th of Jan. 1900
Given under my hand and the seal of said Court, at office,

this 8 day of September 1896

J. S. Carrum
Circuit Clerk

FRAME 2

NO.

CLAIM OF
William Smith
For Belgian Citizenship

ANSWER.

7. Feb. 19. 1896.
H. W. Janssens,
Secy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF William Smith

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence shows that the applicant lives in the State of Mississippi, and did not come to the Choctaw Nation with the Choctaw Tribe, but abandoned all rights in said Nation.~~

~~The evidence filed in this case shows that the witnesses have no personal knowledge as to the rights of claimant, but base their statements wholly of the appearance of claimant, and statements made by him and members of his family.~~

~~The petition shows on its face that claimant is a 1/16 blood Choctaw Indian, and therefore, not entitled to admission to the Choctaw Tribe.~~

~~This claim was received by Gov. Garner Sept. 21, 1894.~~

By The Choctaw Nation
Stuart Gordon & Haily
Its Attorneys.

End

1896 Choc 1383

1896 Choc 1383

No. 383,

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

A. A. Spring *et al*

VS.

Choctaw

Nation.

Received and filed this

day of

189.

Secretary.

RECEIVED FOR FILED FORT SMITH

vs. United States Nation, as follows:

[illegible]

WITNESS my hand and official seal at
this the 13 day of May 189

End

1896 Choc 1384

1896 Choc 1384

Affidavit of Sam W. Maytubby to be read as evidence before the Commission to the Five Civilized Tribes, in behalf of the application of Paul Seldner ^{*Citizen of Choctaw Nation*} for enrollment on the roll to be prepared by the Commission for the Choctaw Nation.

Sam W. Maytubby after first being duly sworn deposes and says that he is a Choctaw Indian and that his age is 34 years and that his Post Office is Caddo I. T.

Affiant further states that he is well acquainted with applicant ~~XX~~ Paul Seldner and knows that he is the one who is named in the petition for enrollment and that he married Margarette Goforth and that she is a Choctaw Indian by blood.

Subscribed and sworn to before me on this the 18th day of Aug. 1896

S. W. Maytubby
J. H. Rappley
Notary Public

Before the Commission to the Five Civilized Tribes;
Citizenship of Choctaw Nation
In the matter of the claim of Paul Seldner for enrollment on the roll
to be prepared by the Commission for the Choctaw Nation or tribe of
Indians:-

The petitioner, Paul Seldner would state for his claim for
enrollment that he is an intermarried citizen of the Choctaw Nation,
having married Miss Margrette Goforth, a Choctaw Indian by blood, ac-
cording to the Choctaw Law as will be seen by the marriage License filed
herewith and made a part of this application and marked "Exhibit A"

The petitioner states that his wife Margarett Seldner (nee Goforth)
did in the year of 1893 draw her portion of the Lease District Money.

The applicant would ask the commission to enroll him on the Cho-
ctaw citizenship roll on the evidence submitted herewith.

Paul Seldner

Subscribed and sworn to before me on this the 18th day of Aug. 1896

J. R. Goff

Notary Public

Lehachew Native

"Exhibit A"

Blue Leamity

To any Judge or Preacher of the Gospel
Granting you are known by authority to solemnize
the Rights of Marriage Between Mr P Suddner and
Miss Margriet Gurforth the said P Suddner
Having complied with Law of said Nation
There fore seems fit and is hereby granted
for the Purpose above mentioned

Giving this Dec 2^d 1884

L. S. Suddner

Leamity of Blue Co. ex

this is to certify that the Rights of Marriage
Between Paul Suddner and Miss Margriet Gurforth
were performed By me Dec 17th 1884
Rev. Lehae Katothikina

Not 3 Peter Magtubog

Wm Gurforth

Recorded this 18 day of Aug 1894

F. E. Folsom

This is to certify that this is a true and correct copy
Now on Record in my office in Vol 4 Page 477

Giving under my Hand and Seal of Office this
22 day of Aug 20 1894

F. E. Folsom

Chief of Blue Co. ex

Before the Commission to the Five Civilized Tribes:

Citizenship Choctaw Nation
In matter of the claim of Paul Seldner for^x the enrollment of his
child Oscar A. Seldner, on the roll to be prepared by the Commission
above named for the Choctaw Nation.

The applicant Paul Seldner would state that the child applied
for here to be placed on the roll of Citizenship in the Choctaw Nation
is an Indian by blood, that he and its mother was lawfully married
according to the Choctaw Law, and that its mother is a Choctaw Indian
by blood and that she and the other three children drew the money paid
out by the Choctaw Nation in 1893 known as the Lease District money.

The applicant further states that this one was born since the
last roll prepared by the Choctaw Nation, and therefore does not app-
ear on the roll anywhere, and he would ask the Commission to place the
child on the roll prepared by them for the Choctaw Nation.

Paul Seldner

Subscribed and sworn to before me on this the 18th day of Aug 1896

J. S. Rapp
Notary Public

No. 2566

1384

Paul Selbner

v

Choctaw Nation

Filed 9th Sept 1896

R/M. Jacobson
ccx

Granted Admitt

affidavit as intermarried
citizens

Coddo
J.T.

Before the Commission to The Five Civilized Tribes:

' Affidavit of Mrs Marg^hrette Seldner(nee Goforth) to be read as evidence in the application of Paul^h Seldner for the enrollment of his child Oscar A. Seldner, male, age 1 year old .

Mrs. M. Seldner after being duly sworn deposes and says that the child applied for enrollment is her child and that it is an Indian by blood and that it is one year old , and a male, that she^{is} its mother is a Choctaw Indian and that she did draw her portion , inⁱⁿ connection with her other children , of the Lease District money paid to the Choctaw Nation in the year of 1893, and that this one has been born since the enrollment was taken and therefore is not on any roll of the Choctaw Nation but should be placed there.

The affiant further states that the child is now living, and lives she and its father Paul Seldner at or near Caddo I. T.

Subscribed and sworn to before me on this the 18th day of Aug. 1896

Mary A. T. Seldner

J. D. [unclear]
Notary Public

NO.

CLAIM OF

Paul Seldner
For Mexican Citizenship

ANSWER.

Filed Oct. 22, 1896,

H. W. Janssen,

Deputy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Paul Saldner

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

There is no evidence that this claim has ever been disputed by the Choctaw Nation.

This claim was received by Gov. Gardner Sept. 27, 1890:

The Choctaw Nation

By Stuart, Gordon & Stanley
Its Attorneys.

End

1896 Choc 1385

1896 Choc 1385

APPLICATION FOR CITIZENSHIP.

United States of America, Indian Territory, ss.

THE HON. HENRY L. DAWES, CHAIRMAN DAWES COMMISSION, VINITA, I. T.

Your petitioner, the undersigned, being duly sworn on the oath, respectfully states that
her name is Ellen Solomon, age 25 year, post office
address, Wister Indian, and that she is
entitled by blood to citizenship in the Indian Territory for the following reasons:

Being the daughter of Napoleon B. Broshas, who is a
Choctaw Indian

That my family and relationship consists of the following named persons: My husband
John Solomon is dead and my children, as follows:

<u>John C. Solomon</u>	<u>Son</u>	<u>4</u>	<u>ys</u>	<u>old</u>
<u>Fanny Solomon</u>	<u>Girl</u>	<u>2</u>	<u>"</u>	<u>"</u>
<u>Lois Solomon</u>	<u>Girl</u>	<u>1</u>	<u>"</u>	<u>"</u>

And respectfully asks to be enrolled, together with each member of my family, as a member of
the Choctaw Indians in the Indian Territory.

Your petitioner states the above facts as the lawful grounds of my application for citizen-
ship in the said Choctaw Nation, and prays that her claim may be investigated by
your honorable body and that she be adjudged to be a citizen of said Choctaw Nation of
Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance
with the laws and treaties made with the said Nation of Indians.

WITNESS my hand, on this 4 day of Sept 1896

Witness:

Ellen Solomon,

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the 4 day of
Sept 1896, and I certify that the Ellen Solomon is a responsible
and creditable person worthy of belief, and that I am not interested in the matter to which this relates.

John H. Wright
Notary Public

This day appeared personally before me the undersigned
Justice of the Peace for the County of
Nottingham B. Brashear, who being duly sworn
on his oath states that Mrs Ellen Solomon is my
daughter and married John Solomon

Given to & subscribed before me this 21st Sept 1896
Notary Public
Notary Public

Hon Aug J Jones Chairm Commission
Vindicta N.Y.

Gent — our application for citizenship is
based on the affidavit of my father Stephen
B Brooks late attached — and the affidavits
& recent evidence attached to and accompanying
Stephen B Brooks of the same, which goes to prove
what this — my mother and widow & part of
this my application

Respectfully submitted
Ellen Soliver

FILE

REGISTRY RECEIPT.

Post Office at Scott's Bluff, Ind. Ter.
Registered Letter Parcel No. 273 Rec'd. Oct 189
of NB Brashear
Ellen Salomon
addressed to Jeff Gardner
Capitawus La
MA. Potts. M.

...and in the case.

of the

2a

...

15. which contained false copies of the

Fig. 1. — Diagram of the structure of a cell.

NOV-20 1902 OFFICE OF THE DIST. CLERK OF THE DIST. COURT OF THE DIST. OF COLUMBIA

1. C. J. Spurgeon, do not marry about first or third the 8th day of Sept. 1886.

SECRETARY PLATONOV.

WILLIAM OF C. T. SPENCER

INQUIRY

Indian Territory,

Central Judicial Division.

§
§ Affidavit of C.L.Stealey,
§

I, C.L.Stealey, do solemnly swear that on this the 8th day of Sept.1896

I saw a letter or package registered at the post office at So. McAles-
ter, Indian Territory, addressed to Jeff Gudner,

Principal Chief of the Chactaw Nation, at

Eagle-Town, I.T. Which contained true copies of the

application§ of Allen Salaman, (applicant for

Chactaw, citizenship) and of the affidavits of

2 Nepalin B Brashares

in support of the same. That Registry Receipt§ No. 173 hereto attach

ed is the receipt given by the Post Master, at So. McAlester, I.T. for

said letter or package. I am over 21 yrs. old and not in any way intere

sted in this case.

and
Subscribed §§ sworn to before me this the 8th day September 1896.

Seal

Preslia B. Doe

Notary Public.

Central J. K.
Lawrence

No. _____

— CLAIM OF —

FOR CHOCTAW CITIZENSHIP.

ANSWER.

STUART, GORDON & BAILEY, Attorneys.

1. The first of the three main points of the report is that the Government has failed to do its duty in the past. The report states that the Government has failed to do its duty in the past in three main respects: (a) it has failed to do its duty in the past in the field of foreign policy; (b) it has failed to do its duty in the past in the field of domestic policy; and (c) it has failed to do its duty in the past in the field of social policy.

THE UNIVERSITY OF CHICAGO

IN THE MATTER OF THE CLAIM OF Elmer S. Smith

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong, and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or marriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The Choctaw Nation
By Frank Gordon Hailey
Its Attorneys.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

1896 Choc 1386

1896 Choc 1386

#117

No. 13860

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

John Thomas

VS.

Choctaw Nation.

Received and filed this day of

189.

Secretary.

RECEIVED FEB 22 1897

FEB 22 1897

Joseph H. ... Clerk

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of

Jos. Thomas vs. *Choctaw* Nation, as follows:

Application & Evidence
Ans. " "
Certified Copy, entries
& Judgment

WITNESS my hand and official seal at *Ardmore*

this the *22* day of *Feby.* 189*7*

Jos. W. Phillip
Clerk

117

1386 D

Mrs. Thomas

vs

Shoetan Watson

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

John Thomas

No. 117

vs.

Choctaw

NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of *John Thomas* to be enrolled as members of the ~~Chickasaw~~ ^{*Choctaw*} Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this *28* day of *Jan.*, 1897.

Jos. W. Phillips

CLERK.

John Thomas

our No. 6-42

1000

1000

1000

10-142-

IN THE UNITED STATES COURT IN AND FOR THE SOUTHERN DISTRICT OF THE
INDIAN TERRITORY, SITTING AT ARDMORE.

-----:0:-----

John Thomas,)	<i>10-142-</i>
)	
vs.)	APPLICATION FOR CITIZENSHIP.
)	
The Choctaw Nation.)	

To the Defendant or its attorneys of record, Messrs.
Stewart, Gordon & Hailey;-

You are hereby notified that on the 28th day of January,
1897, we will, as attorneys for the applicant, John Thomas, file
application for an appeal in the above styled cause from the
orders and judgment of the Commission to the Five Civilized Tribes,
known as the Dawes Commission, to the United States Court at
Ardmore, for the Southern District of the Indian Territory.

Abernethy & Cherryholmes

Attorneys for Applicant.

We, _____, attorneys for
the Choctaw Nation, hereby accept notice of the application for
appeal in the above styled claim for citizenship in the Choctaw
Nation, to the United States Court at Ardmore, in the Southern
District of the Indian Territory.

Attorneys for Choctaw Nation.

No. 1386

Application
John Thomas
for citizenship
in Choctaw
Nation

Abernethy & Cunningham
Attys for Applicant.

Original

AFFIDAVIT OF SERVICE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,) SS.
DISTRICT.)

Dorsett Carter, of lawful age, being first duly sworn,
deposes and says:-

That he did on the ____ day of September, 1896, serve a true
copy of the within application of John Thomas
and the accompanying affidavits of Sam Hale,
Young H. McAdams and Francis
W. Stanford.

and the accompanying exhibits, _____, upon _____

_____, Governor of Principal Chief of the _____

_____, Nation, at _____

by _____

Subscribed and sworn to before me at Notary Public in and for
said District in said Territory, at my office in _____
this ____ day of September, 1896.

Notary Public.

VERIFICATION OF SERVICE.

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES OF
THE INDIAN TERRITORY.
In the matter of the application of John Thomas for enrollment
as a member of the Choctaw Tribe of Indians.

A P P L I C A T I O N.

The applicant states that his name is John Thomas; that he
is by blood a Choctaw Indian; that he is thirty-three years of
age; that he is a son of William Wilburn Thomas, who died in
the Indian Territory, near Garvin, July 5th, 1896; that said
William Wilburn Thomas was one fourth Choctaw Indian by blood;
that the applicant is a brother of Mary E. Nail, who is a daughter
of the said William Wilburn Thomas; that the said William Wilburn
Thomas, father of the applicant, was the son of Grandsir Thomas,
who was one half Choctaw Indian by blood; that the applicant has
lived in the Indian Territory for about twenty-five years last
past and has always been recognized by the Indian Authorities
as a Choctaw Indian and has always been exempt from the payment
of permits on that account. That the applicant is unmarried
and lives at present at Garvin, in the Choctaw Nation.

W H E R E F O R E, the applicant prays that he be enrolled
as a member of said Choctaw Nation of Indians.

Witness:-

J.B. Hunt
J.W. Curryhouse

John^{his} Thomas
mark

United States of America,)
Indian Territory, : ss.
Southern District,)

John Thomas, being duly sworn, states that he is the appli-
cant whose name is signed to the above application; that he had
read the allegations in the said application and that the state-
ments therein contained are true.

Witness:-

J.B. Hunt

John^{his} Thomas
mark

Subscribed and sworn to before me at my office in Purcell, I. T.,
this 1st day of September, 1896.

J.R. Shaw
Notary Public

IN THE MATTER OF THE CLAIM OF MARY F. NAIL, JOHN THOMAS, ET AL.
THE INDIAN TERRITORY
 BEFORE THE HONORABLE COMMISSION TO THE LIAE CIVILISED TRIBES OF

In the matter of the claim of Mary F. Nail, John Thomas, et al.
 for enrollment in the Choctaw Tribe.

A F F I D A V I T.

State of Arkansas,)
 Indian Territory. : ss.
 Southern District.)

Before me, a Notary Public in and for said District in
 said Territory, on this day personally appeared Sam Cole, who
 being duly sworn, upon his oath says:-

My name is Sam Cole, my age is 59 years, my postoffice is
 Purcell, Indian Territory.
 That affiant was born in Morgan County, Georgia. That affiant
 was well acquainted with Grandsir Thomas. That the said Grandsir
 Thomas resided then in Georgia near affiant. That affiant knew
 the said Grandsir Thomas in Georgia something over two years.
 That it has been about thirty-five years since affiant knew the
 said Grandsir Thomas in Georgia. That the said Grandsir Thomas
 was a one half blood Choctaw Indian. That he looked like a full
 blood. That there were a good many other Indians living there
 at the time the said Grandsir Thomas camped and lived with
 them and was recognized by all the Indians as being an Indian.
 That affiant knows that Grandsir Thomas had a family and
 believes from what he has heard that William Wilburn Thomas was
 the son of the said Grandsir Thomas and that the applicants,
 Mary F. (Thomas) Nail and John Thomas are the son and daughter
 of the said William Wilburn Thomas and the grandchildren of the
 said Grandsir Thomas.

Witness my hand:-

J B Sharp
W C Lurphy Jones

Sam Cole
 mark

Subscribed and sworn to before me at my office in Purcell, I. T.,
 this 2nd day of September, 1896.

J R Shaver
 Notary Public.

COPY.

In the matter of the estate of Mary F. Nail, of Eli Nail for enrollment of the Choctaw Tribe of Indians.

NOTARIAL AFFIDAVIT.

State of Texas,
County of Lamar, ss.

I, the undersigned Notary Public in and for said county and state, on this day personally examined Young W. McAdams, who being first duly sworn, testified in relation to the above named claim as follows, to-wit:-

My name is Young W. McAdams; last my postoffice address is Oklaeta, Lamar County, Texas. I am 34 years of age and by occupation am a farmer. Am acquainted with Mary F. Nail and Eli Nail; have known Mary F. Nail from her infancy, she being about 37 years old; she was born in Harrison County, Georgia; first knew Eli Nail in Texas about 11 years ago. That the maiden name of Mary F. Nail was Mary F. Thomas. I know her father; his name William Wilburn Thomas. He is dead; died near Darvin postoffice, in the Choctaw Nation. I knew him about 40 years; not acquainted with him in Harrison County, Georgia; that he always claimed to me to be one fourth Choctaw Indian; knew the father of William Wilburn Thomas by reputation to be a half blood Indian of the Choctaw Tribe.

That the foregoing is all I know as to Mary F. Nail being connected with Eli Nail to the Choctaw Indians by blood. The general appearance and features of Mary F. Nail and those of her father indicated that they are Indian descent.

his
(Signed) Young W. X McAdams.
mark

Signed in the presence
of witnesses:-
J. F. Whitesides,
W. T. Martin.

Subscribed and sworn to before me this the 20th day of August,
A. D., 1896.

(Signed) W. A. Martin, Notary Public.

(SEAL)

Lamar County, Texas.

C O P Y.

In the matter of the claim of Mary E. Nail and Eli Nail for
enrollment as citizens of the Choctaw Tribe of Indians.

GENERAL AFFIDAVIT.

State of Texas,
Lamar County, ss.

Before me, the undersigned, a Notary Public in and for said
county and State, on this day personally appeared Francis M.
Stanford, who being first duly sworn, testified in relation to
the above named claim as follows, to-wit:-

My name is Francis M. Stanford and am 65 years of age; that
my postoffice address is Chicota, Lamar County, Texas, and am a
farmer by occupation. I am acquainted with Eli Nail and Mary E.
Nail; have known Mary E. Nail from infancy; knew her in ~~Marham~~
Harlson County in the State of Georgia; have known Eli Nail only
a short time; first met him at Chicota, Texas, a few days ago.
That the maiden name of Mary E. Nail was Mary E. Thomas. I knew
her father; his name was William Wilburn Thomas; he is now dead.
That he died near Garvin postoffice in the Choctaw nation; that
the general appearance and features of the said William Wilburn
Thomas was that of an Indian and have heard him say that he was
one fourth Indian; cannot say of what tribe of Indians he belonged
to. I knew the grandfather, Grandsir Thomas, of Mary E. Nail,
only by reputation; that by reputation he was known as an Indian;
do not know what tribe of Indians he belonged to. I do not know
that she, the said Mary E. Nail, was connected with or related to
the Choctaw Indians by blood. That her general appearance and
features and those of her father indicated that they are Indians.

(Signed) Francis M. ^{has} X Stanford.
mark

Signed in the presence of:-

Witnesses;

J. P. Whiteside,
M. T. Mastin.

Subscribed and sworn to before me this the 20th day of August,
A. D., 1896.

(Signed) W. A. Martin, Notary Public,

Lamar County, Texas.

(SEAL)

End

1896 choc 1387

1896 choc 1387

Joseph Thornton
vs 1387
Choctaw Nation
No 4032

FILED
S. S. MCKENNON
CLERK

Joseph Thornton
an interested
party

Ralph B. Proctor
Atoka

South McAliston, I. T. Sept. 3, 1896.

Received this day papers purporting to be copies in the claim of

Jos Thornton

for Choctaw citizenship, as follows: Petition, marriage license and

marriage certificate and affidavit of H. C. Davis

Stuart Gordon Bailey

Atty for Choctaw Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

Joseph Thornton, Applicant for enrollment as a member of the Choctaw Tribe of Indians.

YOUR APPLICANT, Joseph Thornton, respectfully represents to this Honorable Commission that he is a regularly recognized member of the Choctaw Tribe of Indians of the Indian Territory and is a bona fide resident of the Choctaw Nation and is entitled to be placed upon the rolls being prepared by this Honorable Commission, as a member of said Choctaw Tribe or Nation, for the following reasons to-wit:

1st. There is no correct and perfect roll of the members of the Choctaw Tribe of Indians, and no law or authority for the Choctaw Nation to make such rolls.

2nd Your applicant was on the 28 day of April 1895 a citizen of the United States and a white man and resident of the Choctaw Nation and was on said date legally and in compliance with the laws of the Choctaw Nation married to Miss Sallie Thornton nee Sallie Nash who was then and is now a regularly recognized member by blood of the said Choctaw Tribe of Indians, a copy of the marriage license and the certificate of marriage is hereto attached and marked exhibits "A" and "B" and made a part hereof.

3rd. By virtue of said marriage your applicant became a member of the said tribe of Indians and has ever since been so recognized by the other members of the said nation and his membership has never been denied or forfeited.

Your applicant files herewith the affidavit of H. C. Harris as additional proof of the membership of his wife Mrs Sallie Thornton nee Miss Sallie Nash. And ask that his name be placed upon the roll as a member of the Choctaw Tribe of Indians.

Joseph Thornton
Subscribed and sworn to before me this the 4th day of September 1896.

M. A. Shomey
Notary Public for the Central District of the Indian Territory.

Co Clerk, Red River Co. N.

Recorded in the
Office of the Clerk
May the 23rd 1895
W. A. Shoney
Clerk.



Thus Mr Joseph Thornton of Harris Ferry
and Miss Sallie Nash of Antlers Ind Ter
were by me joined together in

HOLY MATRIMONY

at Harris Ferry according to the ordinance of God and the laws of the
State of Charlow Nation on the 28 day of April 1895

Rev. W. E. Hamilton
Nelson Ind Ter

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Joseph Thornton, Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

ON THIS the *4th* day of *Sept* 1896, personally appeared
before me the undersigned authority, *H. C. Harris* who,
having been by me first duly sworn according to law states on his oath as follows
to wit:

"I am *60* years old, am a resident of *Red River* county of
the Choctaw nation and am a member of the Choctaw nation. I am acquainted with
the applicant, *Joseph Thornton* and have known him dur-
ing the last past *three* years. I know his wife *Mrs Sallie Thornton, nee*
Nash and have known her for *23* years. I knew her father and
mother and know them and her to be members, by blood, of the Choctaw Tribe of
Indians and they are so recognized by other members of the said Tribe. Ever since
the applicant married said *Sallie Nash* he has been re-
cognized as a member of the said Choctaw Tribe and his right has never been
disputed.

Mrs. *Sallie Thornton*, was before her marriage
to the applicant a *Miss Sallie Nash*, being the
daughter of *Nash* and *Sarah*.

The applicant is now a resident of the Choctaw nation.

H. C. Harris

Subscribed and sworn to before me this the *4th* day of
September 1896.

H. A. Shoney

Notary Public for the Central District of the Indian Territory.

C. Clark, Red River Co. C. T.

No.....

—CLAIM OF—

Joseph Thornton

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct. 1, 1896* ★

★ A. S. MCKENNON ★

—★ COM 'R' ★—

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Joseph Thornton

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this cause does not show a marriage according to Choctaw law, and there is nothing to show that the applicant was married under license from the Choctaw Authorities.

Joseph THORNTON.

By

The Choctaw Nation
Stuart Gordon & Bailey
Its Attorneys.

End

1896 Choc 1388

1896 Choc 1388

No. 3872
Etta Poole
vs 1388
Choctaw Nation

FILED SEP 1 1888
A. S. McKENNON
COM'R

Etta Poole
Poole an. an in-
termarried citizen

J. P. Gentry
Pelle Bros
attys & out

South McAlistar, I. T. Sept, 1898.

Received this day papers purporting to be copies of the claim of
Ella Toole for Choctaw Citizenship, as follows-
Petition, marriage license and marriage certificate and affidavits of
A. E. Lewis

Stuart Gordon Harley
Atty for Choctaw Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs. *Etta Toole* Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

YOUR APPLICANT Mrs. *Etta Toole*, respectfully
represents to this Honorable Commission that she is a regularly recognized member of the Choctaw Tribe of Indians of the Choctaw Nation and is entitled to be placed upon the rolls, to be prepared by this Honorable Commission, as a member of the Choctaw Tribe of Indians on the following grounds, to-wit:

1st. There is no true and perfect roll of the members of the Choctaw Tribe of Indians and no law or authority for the Choctaws to make such a roll.

2nd. On the 10 day of *June* 1886 your applicant was a white woman and a citizen of the United States and on said day was legally married to *Jos O Toole*, who was then and is now a regularly recognized member by blood, of the Choctaw Tribe of Indians, a copy of the marriage certificate is hereto attached and marked Exhibit "A," and made a part hereof.

That there was not then nor is there now, any law of the Choctaw Nation authorizing the issuing of a marriage license and it was and now is the established custom for Choctaw men to marry white women without a license from the Choctaw Nation and by such marriage white women become members of the Choctaw Tribe of Indians and are so recognized by the Choctaw authorities.

Your applicant files herewith the affidavit of *S E Lewis*
as additional proof of the citizenship of said *Etta Toole* and
the custom among the Choctaws and asks to be placed upon the rolls as a member of the Choctaw
Tribe of Indians. *Etta Toole* 5-TH

Subscribed and sworn to before me this the
day of *September* 189*6*

S. M. Norton
Notary Public for the Central District of the Indian Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs *Etta Toole* Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

BE IT REMEMBERED That on this the *5th* day of *September* 1896,
personally appeared before me the undersigned authority *S. E. Lewis*

who having been by me first duly sworn according
to law states on his oath as follows:

"I am *55* years old, I am a resident of *Tobuckoy* county of the
Choctaw Nation and a recognized member of the Choctaw Tribe of Indians. I have known
Mrs *Etta Toole* and her husband for *8* years,
her husband is a member, by blood, of the Choctaw Tribe of Indians and was such at the time he
married *Etta Toole*, I knew his father and mother and they
were recognized members of the Choctaw Tribe of Indians, Mrs. *Etta Toole*
has ever since her marriage been a recognized member of said
Tribe.

At the time of Mrs *Etta Toole* marriage to *John*
Q Toole it was the custom among the Choctaws for Indian
men to marry white women without a license and license was not granted. That custom still
prevails and white women who marry Indian men become members of said Tribe

S. E. Lewis
Subscribed and sworn to before me this the *5th*
day of *Sept* 1896 *J. J. Munton*

Notary Public for the Central District of the Indian Territory.

Marriage License.

State of Arkansas

County of Crawford,

To any person authorized to solemnize Marriage, Greeting:

You are here-

by commanded to celebrate the rite and publish the banns of matrimony between Mr. John O. Toole of South Canadian, in the County of Tobucksy Choctaw Nation, Indian Territory, aged 33 years and Miss Etta Wynne of Alma, in the County of Crawford, and State of Arkansas, ages 28 years, according to law; and do you of icially sign and return this li- cense to the parties herein named.

Witness my hand and official seal this the 8th day of June, 1886.

seal.

J. Neal. County Clerk.

Certificate of Marriage.

State of Arkansas

County of Crawford.

I, S. C. Lee, a minister of the Gospel do hereby certify that on the tenth day of June, 1886 I did duly and according to law as commanded in the foregoing license, solemnize the rite and publish the Banns of matrimony between the parties therein named.

Witness my hand this the 10th day of June 1886.

My credentials are recorded in Records office Logan County, Ark. Book A, page 2 & 3

S. C. Lee.

Minister of Gospel.

Certificate of record.

State of Arkansas

County of Crawford.

I, J. Neal, Clerk of the Circuit Court and Ex-officio Clerk of the County Court, certify that the above license for a certificate of mar- riage of John O. Toole and Etta Wynne, were on the 28th day of June 1886 filed in my office and the same are now duly recorded on page 143 of book C. of marriage licenses.

Witness my hand and the seal of said County, this 28th day of June 1886.

seal

J. Neal. Clerk

No.

—CLAIM OF—

Etta Toole

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Q. 1*, 1896. *27*

A. S. McKennon

—COM 'R—

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Etta Foole

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

ETTA-TOOLE.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 choc 1389

1896 choc 1389

Before the Commission to the Five ~~Civilized Tribes~~ *Citizenship Choctaw Nation*
In the matter of the Claim of Wiley Stewart for enrollment on the
roll prepared by the Commission for the Choctaw Nation as a Citizen-
ship roll for said Nation:

The applicant Wiley Stewart would state for his claim that his age
is 72 years and that his Post Office is Caddo I. T.

The applicant would further state that he is an intermarried Cit-
izen of the Choctaw Nation, having married Miss Nancy Felsen a Choctaw
Indian by blood and that they were married according to the laws of
Choctaw Nation and was married on the 17th day of Oct 1847.

The applicant would state that he has no record of the marriage
of himself and Miss Nancy Felsen and if there is any in the Choctaw
Nation or at any other place the applicant can not find it, but would
state that the Minister that solemnized the marriage stated that he
would have a record of the marriage made, the applicant states that he
was married in the Choctaw Nation..

The applicant would ask the Commission to place him on the roll
to be prepared by them for the Choctaw Nation as a Citizenship roll
for said Nation on the proof submitted herewith.

Wiley Stewart

Subscribed and sworn to before me on this the 27th day of Aug. 1896

J. R. Roppeler
Notary Public

Affidavit of A. W. Folsom to be read as evidence before the Commission
in behalf of Wiley Stewart for Citizenship in the Choctaw Nation.

The affiant after first being duly sworn deposes and says that his
age is ~~56~~ years and that his Post Office is Bennington I. T.

The affiant further states that he is well acquainted with the
applicant Wiley Stewart and have been for the past 54 or 55 years and
that he also knows his wife Nancy Stewart and knows that she is a reg-
istered Choctaw Indian by blood and that he was present at the marriage
of Wiley Stewart and his wife Nancy, and know that they were married in
the Choctaw Nation in the year of 1847 in the house of the affiant ^{father} and
the affiant was at that time about 7 years old, and he remembers quite
well of the marriage and that it was according to the Choctaw laws at
that time.

The affiant states that he has no intrest in the prosecution of
this claim.

A. W. Folsom

Subscribed and sworn to before me on this the 7th day of Sept . 1896

J. H. Rappier
Notary Public.

Affidavit of Jack Risner to be read as evidence before the Commission to the Five Tribes in behalf of Wiley Stewart for enrollment on the roll to be prepared by the Commission for the Chectaw Nation.

The affiant Jack Risner after first being duly sworn deposes and says that his age is 60 years and that his Res Office is Bennington Chectaw Nation I. T.

The affiant further states that he has been acquainted with the applicant Wiley Stewart and his wife, Nancy Stewart, for 31 year and they were married at that time and that they have raised a family in the Chectaw Nation and all who knew them knew them as man and wife. Mrs Nancy Stewart, wife of the applicant is a Chectaw Indian by blood.

The affiant states that he has no interest in the prosecution of this claim.

Subscribed and sworn to before me on this the 27th day of Aug. 1896

his
Jack Risner

mine
J. F. Rappold

Notar Public

witness
J. H. Stark

~~2334 1389~~
Wiley Stewart

30
Choctaw nation

Filed 9/9/96.

H. M. Jaraway
Deputy

Admitted natural
Citizen & then
Citizen by blood

Added 2-1
Nash

Affidavit of Jack Risner to be read as evidence before the Commission
to the Five Tribes in behalf on Wiley Stewart for enrollment on the roll
to be prepared by the Commission for the Chectaw Nation.

The affiant Jack Risner after first being duly sworn deposes and
says that his age is 60 years and that his Pos Office is Bennington
Chectaw Nation I. T.

The affiant further states that he has been acquainted with the
applicant Wiley Stewart and his wife, Nancy Stewart, for 31 year and
they were married at that time and that they have raised a family
in the Chectaw Nation and all who know them knew them as man and wife.
Mrs Nancy Stewart, wife of the applicant is a Chectaw Indian by blood.

The affiant states that he has no intrest in the prosecution of
this claim.

Subscribed and sworn to before me on this the 27th day of Aug. 1896

his
Jack Risner

notary
J. F. Rappole

Notary Public

witness
J. H. Stark

NO.....

CLAIM OF

Wiley Stewart
For Canadian Citizenship

ANSWER.

Filed Oct. 19, 1916.

H. W. January
Secy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Wiley Stewart

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case fails to show that the alleged wife of claimant is a Choctaw Indian.

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

This claim was received by Gov. Gardner Sept. 23, 1896.

The Choctaw Nation
By Shuart, Gordon & Hailey
Its Attorneys

End

1896 Choc 1390

1896 choc 1390

No. 1390

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

John Kaggo

VS.

Choetan

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR FILE

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of

vs. ~~Choctaw~~ Nation, as follows:

Application

Answer

Judgment

Witness my hand and official seal at South McAlester

this the 22nd day of May 1897

O. B. Jones

No 1892
John Skaggs
vs.
Choctaw Nation
Order of Appeal
U.S. Court

DEPUTIES:
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
G. R. EDWARDS,
ATOKA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.

SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., Jan. 19th. 1897. 189

To the Honorable Dawes Commission,

Ft. Smith, Ark.

Sir:

You are hereby notified that John Skaggs has taken an appeal to this court from the decision rendered by you on the application of ~~John Skaggs~~ John Skaggs vs The Choctaw Nation, for enrollment as a citizen of said Nation.

You will at the earliest time practicable transmit to this court a transcript of all the entries on your docket relating thereto, together with the original papers, depositions and testimony therein, and your decision on said application.

Yours very respectfully.

P. B. Stoner

Clerk.

End

1896 Choc 139/

1896 Choc 139/

Before the United States Dawse Commission,
To the five civilized tribes of Indians,
in the Indian Territory.

C. Loyd Stealey, and his wife Leona Stealey, §
and their minor children, L. Goodwyn B. §
Stealey, and Lorenzo P. Stealey, petitioners. §
Vs. §
The Choctaw Nation, respondent. §

Application for en-
rollment in the Choctaw Nation.

To the honorable United States Dawse Commission, sitting at Vinita Indian Territory.:

Comes now your petitioners, C. Loyd Stealey ; and his wife Leona Stealey and their minor children L. Goodwyn B. Stealey, and Lorenzo P. Stealey, and for enrollment herein allege and says :

That the said C. Loyd Stealey, ~~and his wife Leona Stealey~~ a white man, and Miss Leona Stealey a Choctaw Indian by blood were legally married in the Choctaw Nation and according to the laws thereof on the 4,th day of October 1893. That the name of the said Leona Stealey (Nee Rogers) appears upon the duly authenticated Rolls of the said Choctaw Nation and she is duly recognized by the authorities thereof, and her right has never in any way been disputed, and she drew her distributive share of the ~~Rolls of the Nation~~ ^{Rolls of the Nation}

That the said Leona Stealey (Nee Rogers) is the daughter of Mary E. Rogers a Choctaw Indian by blood, and whose name appears upon the duly authenticated Rolls of the said Choctaw Nation, and that her right has never been disputed. That the said Leona Stealey (Nee Rogers) is the grand daughter of Samuel Garland a Choctaw Indian by blood, and who was one of the Commissioners on the part of the Choctaw Nation, in framing the Treaty of 1855, between the United States and the Choctaw Nation.

That the said C. Loyd Stealey, and the said Leona Stealey, have born to them the issue of said marriage, two children whose names are L. Goodwyn B. Stealey of the age of two years, and Lorenzo P. Stealey of the age of Six Months, and that the said minor children have been born since the last enrollment made by the said Choctaw Nation, but that they are entitled to enrollment thereon.

That the evidence of the foregoing facts relied upon for enrollment are hereto attached, marked exhibit " A " B " C " and made a part hereof, and that the originals of all copies hereto attached are made subject to the orders of the Commission.

Wherefore the petitioner, C. Loyd Stealey prays, that he be enrolled as a citizen of the said Choctaw Nation with all the rights, privileges and immunities that are given or granted to an Indian by blood, and that the names of the said L. Goodwyn B. Stealey, and ~~the~~ Lorenzo P. Stealey be placed upon said Rolls, and also that the name of Leona Stealey be placed upon said Rolls, if they do not already appear properly thereon.

Subscribed and sworn to before me on this the 4 day of September 1893.

Notary Public.

Indian Territory.

Central Judicial District.

Exhibit "B".

Affidavit of Mary E. Rogers.

Affiant Mary E. Rogers of lawful age being duly sworn deposes and says :
I, am well acquainted with the petitioners herein, C. Loyd Stealey J.,
Goodwyn B. Stealey, and Lorenzo P. Stealey.

I, am a Choctaw Indian by blood and duly enrolled in said Nation. I am
the daughter of Samuel Garland one of the Commissioners on the part of
the Choctaw Nation in framing the Treaty of 1855, between the United
States Government and the Choctaw Nation.

The said C. Loyd Stealey and the said Leona Stealey (Nee Rogers) were
married on the 4,th day of October 1893. The said Leona Stealey is my
daughter and a Choctaw Indian by blood, and her name appears upon the
authenticated Rolls of the said Choctaw Nation. Her name appears upon
the Rolls of said Nation in the name of Leona Rogers her maiden name.
She participated in the Choctaw payment of 1893, known as the Lease Dis-
trict payment to the Choctaw tribe of Indians and received her distribu-
tive share of said money amounting to \$103.00.

The said C. Loyd Stealey and the said Leona Stealey have born to them
the issue of said marriage two children ~~named L. Goodwyn~~ named L. Goodwyn
B. Stealey, and Lorenzo P. Stealey, both of whom have been born since the
last enrollment made by the Choctaw Nation.

Subscribed and sworn to before me on this the 4th day of September 1893.

Mary E. Rogers

Preslie J. Oke

Notary Public.

REGISTRY RECEIPT.

Post Office at SOUTH MALLESBOR, I. I.

Registered Letter Parcel No. 178 Rec'd SEP 4 1896 189

of Cole & Redman's

Q Loyd Steals et al

addressed to Jeff Gardner

Esplanade St

Ma Potters P. M.

Indian Territory,

Central Judicial District.

I, J. W. Black, do solemnly swear that on the 4,th day of September 1896, I saw a package registered at the Post office at South McAlester Indian Territory, addressed to Jefferson Gardner Principal Chief of the Choctaw Nation, at Eagle-town I. T. That registry receipt No 178 received from the Post Master, hereto attached, is a receipt for said package, which contained true copies of the application of C. Lloyd Stealey, his wife, Leona Stealey ^{Minor Children} and the affidavit of Mary E. Rogers - her husband - Marriage License & Certificate. in support of same.

Subscribed and sworn to before me on this the 4,th day of September 1896

J. W. Black
Notary Public.

11

H. F. Law.

An ordained Minister of the Gospel with
credentials recorded.

Recorded in Book C. Page 178, of Tobueksay County Records.
November the 2,nd 1898.

J. P. Thompson, Clerk.
By, W. H. Ansley.
D. C.

Indian Territory,

Central Judicial District.

I, Preslie B. Cole a Notary Public within and for the Central Judicial
District of the Indian Territory, do hereby certify that the above and
foregoing marriage license and certificate of C. L. Stealey, and Miss
Leona Rogers, is a true copy of the Original now in the possession of
the said C. L. Stealey.

Preslie B. Cole

Notary Public, Central Judicial Dis-
trict, Indian Territory.

Indian Territory, §
Central Judicial District. §

Exhibit "C".
Affidavit of Laura Cole

Affiant Laura Cole of lawful age being duly sworn deposes and says :

I, am well acquainted with the petitioners herein, C. Loyd Stealey, his wife Leona Stealey, and their minor children L. Goodwyn B. Stealey, and Lorenzo P. Stealey.

The said C. Loyd Stealey, is a white man, and the said Leona Stealey is a Choctaw Indian by blood, and her name appears upon the duly authenticated Rolls of the said Choctaw Nation. She is the daughter of Mary E. Rogers a Choctaw Indian by blood.

The said C. Loyd Stealey, and the said Leona Stealey were married on the 4,th day of October 1893. The said Leona Stealey (Nee Rogers) participated in the Choctaw payment of 1893, known as the Lease District payment to the Choctaw tribe of Indians, in the name of Leona Rogers, her maiden name.

Subscribed and sworn to before me on this the 4 day of September 1896.

Laura Cole
Charles E. Cole
Notary Public.

"Copy"

Choctaw Nation, § Exhibit " A " .
County of Tobucksey. § Marriage License.
 §

TO ANY MINISTER OF THE GOSPEL, JUDGE, OR ANY PERSON, IN THE CHOCTAW NATION
AUTHORIZED TO SOLEMNIZE THE RITES OF MATRIMONY :
GREETING : -

WHEREAS : C. L. Stealey, ~~of the United States~~ a Citizen of the United States has duly made application to the undersigned Clerk, of the County Court within and for the County of Tobucksey Choctaw Nation, for License to enter into the bonds of matrimony with one , Miss Leona Rogers, a Citizen of the Choctaw Nation, and the undersigned being satisfied that the C. L. Stealey is a suitable person to be granted a License to enter into the bans of matrimony with the said Miss Leona Rogers : NOW I THEREFORE GRANT : unto the said C. L. Stealey a License to marry the said Miss Leona Rogers, and any Minister of the Gospel or any person authorized to solemnize the rites of matrimony are hereby authorized to join in matrimony the said C. L. Stealey, and the said Miss Leona Rogers.

In testimony whereof, I hereunto set my hand and affix the seal of said Court this the 3,rd day of October A. D. 1893.

J. P. Thompson, Clerk.
By, W. H. Ansley. D. C.

Tobucksey County Choctaw Nation.

I, do solemnly swear that I will honor defend, and submit to the Constitution and laws of the Choctaw Nation, and will neither claim nor seek from the United States Government, or from the Judicial tribunals thereof any protection, privilege, or redress, incompatible with the same as guaranteed to the Choctaw Nation, by the Treaty stipulations, entered into between them, so help me God.
C. L. Stealey.
This is to certify that on the fourth day of October 1893, I solemnized the rites, of matrimony between Mr C. L. Stealey and Miss Leona Rogers.

(Forward)

NO.....

CLAIM OF
C. Loyd Stealer et al
For Choctaw Citizenship.

ANSWER.

Filed Oct. 19, 1896,

W. M. J. J. J. J.
Sey.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF C. Loyd Stanley et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

There is no evidence that this claim has ever been disputed by the Choctaw Nation.

The Choctaw Nation
By Stuart Gordon & Hailey
Its Attorneys.

End

1896 Choc 1392

No. 1392

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Francis L. Orndell

VS.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

REVISOR FOR PRINT FORT SMITH

..... vs. Nation, as follows:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. A vertical margin line is present on the right side of the page. The paper appears to be from a notebook or a set of legal pads. There are some faint smudges and marks on the surface, particularly near the top left corner. The lighting is even across the page.

430%

f. 189

O. B. Shaw

No 1392
Francis L. Strong & Co
Choctaw Nation

To the Honorable James O. Smith, Clerk of the Choctaw Nation, Ark.

Sir:

You are hereby notified that the application of the Choctaw Nation for enrollment as a citizen of said Nation, as taken on appeal to this Court from the decision rendered by you in the application of the Choctaw Nation, for enrollment as a citizen of said Nation, will be heard at the earliest time practicable, and in the meantime a transcript of all the evidence on your record relating thereto, together with the original papers, depositions and testimony taken, and your decision on said application.

Yours very respectfully,

Wm. L. Smith

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. B. McCANS,
ANTLER.
O. R. EDWARDS,
ATOEA.
F. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. H. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOEA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T. Jan. 29th 1897.

To The Honorable Dawes Commission,
Fort Smith, Ark.

Sir:

You are hereby notified that Francis L. Stoner et al
has taken an appeal to this court from the decision rendered by you
on the application of Francis L. Stoner, Nancy Green, J. W.
Stoner, J. L. Stoner et al. Commission No 1392
vs The Choctaw Nation, for enrollment as a citizen of said Nation.

You will at the earliest time practicable, transmit to this court
a transcript of all the entries on your docket relating thereto, to-
gether with the original papers, depositions and testimony therein,
and your decision on said application.

Yours very respectfully.

P. H. Stoner
Clerk.

End

1896 Choc 1393

1896 Choc 1393

Before the Commission to the Five Civilized Tribes:

In the matter of the Claim of Mrs Kittie Smith for her infant
Child for Choctaw Citizenship in the Choctaw Nation.

The applicant Mrs Kittie Smith for her infant child Kattie E.
Adams, would state that the Child is 3 1/2 months old and that it is
a Choctaw Indian by blood and that it now lives with her in Cadde I. T.

The applicant Mrs Kittie Smith would state that her age is 23 years
and that her Post Office is Cadde I. T. And that she has been married
twice that she was first married to Sam Adams a Choctaw Indian by blood
and that the child applied for here is a Child by that marriage and
that it was born in lawful wedlock, and that it has been born since
the last roll taken of the Choctaw Indians, which roll was taken in
the year of 1893. Mrs Kittie Smith state for the Child that both its
father and mother is Choctaw Indians by blood.

The applicant Mrs Kittie Smith would ask the Commission to extend
Choctaw Citizenship unto the child Kattie E. Adams and to enroll her
on the roll to be prepared by the Commission for the Choctaw Nation
as a Citizenship roll.

Subscribed and sworn to before me on this the 4 day of Sept 1893

Mrs Kittie Adams
Notary Public.

Affidavit of W. H. Ainsworth to be read as evidence before the Commission to the Five Tribes in behalf of Mrs Kittie Smith for her infant child.

The affiant after first being duly sworn deposes and says that his age is years and that his Post Office is Caddo I. T.

The affiant further states that he knows the father and mother of the infant child of Mrs Kittie Smith at that its name is Kattie E. Adams, the father being ^h~~Sam~~ Adams a Choctaw Indian by blood, he and the mother of the Child being seperated, and the mother being married again having married Ira L. Smith, the mother of the Child is a Choctaw Indian by blood.

W. H. Ainsworth

Subscribed and sworn to before me on this the 7th day of Sept 1896

J. L. Rappolee
Notary Public.

²³⁴⁴
Mrs. ~~Fuller~~ ~~Smith~~ ~~Smith~~
Albany, N.Y. 393

Filed Sept. 9, 186

A. W. Jarman
Secy

Adm'd. N.Y. Co.

to Am. & Eng.
by road

Caddo, I. T.

Affidavit of Mrs Catherine Folsom to be read as evidence before the Commission to the Five Tribes.

The affiant Mrs Catherine Folsom after first being duly sworn deposes and says that her age is 68 years and that her Post Office is Cadde I. T.

The affiant further states that she is well acquainted with Mrs Kittie Smith and her infant child Kattie E. Adams and also with the father of the Child and that both the father and mother of the Child are Choctaw Indians by blood. The affiant further states that the child is now living and lives with its mother Kittie Smith at Cadde I. T Choctaw Nation. The affiant also states that she is a Choctaw Indian by blood.

Catherine Folsom

Subscribed and sworn to before me on this the 4 day of Sept 1898

J. H. Rappolee
Notary Public.

NO.....

—CLAIM OF—

Mrs. Katie Smith for child
Her Choctaw Citizenship

ANSWER.

7 Feb. 19, 1896.

St. M. January
Day.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mrs. Kith Smith for her child

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

There is no evidence that his claim has ever been disputed by the Choctaw Nation.

This claim was received by Gov. Gardner Sept. 23, 1894.

The Choctaw Nation
By Stuart, Gordon & Hailey
Its Attorneys.

End

1394

South Western Ind. Ter.

September 8th 1896.

Received this day papers purporting
to be Copies in the Claim of Martha Ann
Horton, for Citizenship as follows
Petition, Affidavit of Olin S. McCoy
Mrs Leiney Franklin and Mrs
Harissa Susan Thompson.

August Gordon Harley

Atty for the Christian Nation

To the Honorable the Dawes Commission to the
Five civilized tribes of Indians

Vinita
Cherokee Nation Indian Territory.

Your Petitioners Sarah Jane Thompson now Darden and
resident of Pickens County Chickasaw Nation &c. Martha
Ann Thompson now Harton resident of Atoka County Choctaw
Nation &c. Arsisia Ella Thompson now Percival resident
of Pickens County Chickasaw Nation &c. John Benton Thompson
and Nancy S Thompson from Vaughan of Pickens
County Chickasaw Nation &c. do most respectfully
present a Petition unto your honorable body for a
consideration and therefore states unto your honorable
body as follows.

1st Your Petitioners are lawful descendants of Margrett
Thompson, her maiden name was a McCoy, who
was a half breed Choctaw emigrated from the State of
Mississippi to Lawson County Choctaw Nation &c. with the
Choctaw emigration from Mississippi to the Indian Territory
and died in Lawson County aforesaid near Vicksburg
Indian Territory.

2nd In proof whereof your attention is called to the
Deposition of Oliver S McCoy citizen of the Choctaw Nation
by blood and by birth, resides in Miami County
Choctaw Nation Indian Territory says he remembers
Margrett McCoy who married Mr Thompson and
has children but he has forgotten the names of Margrett
Thompson's children except Duncan Thompson because
he was the oldest child.

3rd Your attention is called to the Deposition of Mr. Levis
Franklin a Choctaw woman resident of Atoka County Choctaw
Nation &c. citizen by birth who says that Mrs Margrett McCoy
married to Mr Thompson and that the said Margrett Thompson

was of the McCoy family and a half breed Choctaw and they
had children, namely Duncen Thompson and three brothers
but they all died so did Duncen Thompson sometime afterward
and further states that she knew Duncen Thompson's children
namely Sarah Jane Thompson, Martha Ann Thompson
Narcissa Ella Thompson John Benton Thompson and
Nancy S Thompson,

4th Your Attention is called to the Deposition of Mrs
Narcissa Susan Thompson, says that she was married
to Mr Duncen Thompson, a son of a half breed Choctaw
woman Margrett Thompson by name, and further states that
your Petitioners are the children of Duncen Thompson namely
Sarah Jane Thompson, now Darsen, Martha Ann Thompson
now Harton, Narcissa Ella Thompson now Percival
John Benton Thompson and Nancy S Thompson now Vaughn

5th Your Attention is called to the fact, that your
undersigned Petitioners made application to the
General Council of the Choctaw Nation, by their Attorney
Hon Green Thompson who was a Choctaw Law Practitioner
but on account of the death of said Honorable Green
Thompson, the case never has been taken up
by the Committee on Citizenship at the Choctaw
General Council as yet

6th Therefore your Petitioners do most
respectfully pray your honorable body for a
Consideration of the case and cause
to be enlisted on the roll with the citizens
of the Choctaw Nation by blood the
following names

1st

Sarah Jane Thompson now Darden

1896

Marissa Ella Thompson now Percival

Benjamin Welch

former husband

18. Jesse Percival

and his children

11

Maurice Welch

16. Taylor Percival

9

Walter Welch

9. Ernest Percival

7

Handen Darden

By present husband

7. Rebecca Percival

5

Johnny Darden

3. Katie Percival

3

2nd

Martha Ann Thompson now Harton

Nancy S Thompson now Vaughn

James William Harton

12. Hattie Vaughn

5

John F Harton

14. Callie Vaughn

3

Susie Harton

9. Nannie Vaughn

4 years

Your Petitioner further states that they has given me notice of the Application for enrollment to the Principal Chief of the Choctaw Nation, Indian Territory the receipt herewith attached and submitted.

In duty bound your Petitioner will ever pray,

Martha Ann Harton et al.

Witnesses

By their Atty

Charles Alperson

Davis A. Homer

J. A. Long

Atoka St.

Sworn to and subscribed before me this 7th day of Sept 1896

D. C. Blosser

Notary Public

Deposition of
Oliver S. McCoy

Oliver S. No. 100

Indian Territory

Central Judicial District

Cliner S McCoy being duly sworn
upon his oath and deposes and
says I am enrolled citizen of the
Choctaw Nation by blood, and have
been a resident of Kiamichi County
Choctaw Nation, Indian Territory. I am
45 forty five years old. William McCoy
was my father he died 10 or 15 years ago
I remember Margrett Thompson or
McCoy she died near Doakville
Ind. Co. in Dawson County.
Margret Thompson was a half breed
Choctaw, she had children by Tom
Thompson, but its been so long
that I disremember ~~her~~ forgotten the
names of the children, they moved
away directly after the war, about
30 years ago. they Mrs Thompson children
were small at the time and I myself
was not quite grown, at that time.
I remember Duncan being that he was the
oldest

Cliner S McCoy

Sworn To and Subscribed Before
me this 31st Day of August
1886

P. C. Harris
Circuit Clerk
3rd Judicial Dist
Choctaw Nation

Indian Territory,
Circuit Judicial Dist.

Mrs Levingy Franklin being duly sworn
upon her oath and deposes and says
I am enrolled Citizen of the Choctaw Nation
by blood Indian and have been a
resident of the Choctaw Nation, Indian
Territory all of my life. I am now 54 fifty-
four years old, and was personally
acquainted with Mr. Margrett Thompson.
her maiden name was McCoy she married
to Mr Thompson, and they had Children and
their names were as follows.

Ruben Thompson, Billy, Jim, and
Thomas Thompson, they are all dead now.
Margrett McCoy or Thompson was a half
breed Choctaw. I knowed William McCoy
Loc McCoy and Oliver McCoy. William and
Loc McCoy, are dead. Oliver McCoy is
still living.

Ruben Thompson was a legal descendant
of the McCoy Family Choctaw by blood.

Ruben Thompson had Children, their
names were as follows.

Sarah Jane Thompson,

Martha Ann Thompson.

Mercissa Ella Thompson.

John Benton Thompson.

Naucy S Thompson.

At Test: R. E. Williams

L. Levingy Franklin
notary public.

Sworn & Subscribed to before me this
22nd day of Aug 1896.

L. Levingy Franklin
notary public

Indian Territory
Central Judicial District

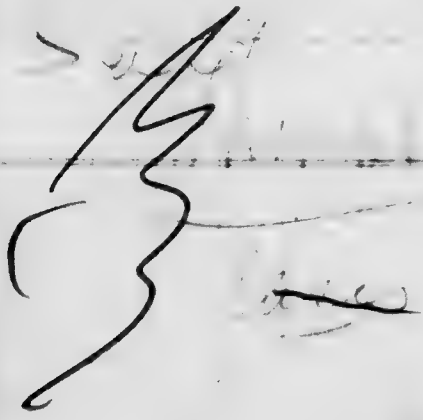
Narissa Susan Thompson duly sworn upon her Oath deposes and states that I am 55 fifty five years old, was born in the State of Missouri I was lawfully married to Mr Duncen Thompson, he had three brothers Billy Jim and Thomas Thompson, but they are all dead. they were the ~~children~~ children of Margrett Thompson, who was a half breed Choctaw.

While I and Mr Duncen Thompson were living together as husband and wife there were five children born to us their names are as follows

- 1 Sarah Jane Thompson, she married a man by the name of Frank Welch, and had three children Benjamin D, Maurice J. Walter F. Welch, and ~~Anna~~ ~~she~~ she was divorced from Mr Welch and married a man by the name of Charles B Darden, and they has two children John H. and Joseph Darden and now resides in Pickens County Choctaw Nation, Indian Territory P.O. Address Lone Pine St.
- 2 Martha Ann Thompson, she married a man by the name of F M Harton, and they have three children John H. James W. Rachel S Harton, and now resides in the Choctaw Nation in the County of Atoka Indian Territory, P.O. Address Atoka St.
- 3 Ella Narissa Ella Thompson, she married to a man by the name of W E Percival, and they have 5 children Rebecca, Jesse, Taylor Forrest and Katie Percival
over

Deposition of 1394

Mary Ann Thompson



Sarah Jane Thompson
Wife of Ann Thompson

Test
Sept 9-1894

They are residing in Pickens County
Chickasaw Nation, Indian Territory
P.O. Address, Marlow, Id.

4 John Benton Thompson still single
P.O. Address Marlow, Id.

5 Nancy Septima Thompson, she
married to a man by the name of
James E. Vaughn and they have three
children Hattie, Callie, and Nancy S.
Vaughn. And now resides in Pickens
County, Chickasaw Nation, Indian Territory.
P.O. Address Marlow, Id.

Mary Susan Thompson

Subscribed and sworn to before me this
4th day of Sept 1896.

D C Blossom

Notary Public,

1394
page 432

No.

—CLAIM OF—

Strahy Thompson
FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct. 11* 1896. ☆
A. S. McKENNA
COM'R

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Sarah J. Thompson
et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case fails to show that claimants are one-eighth blood Choctaw Indian.

SARAH J. THOMPSON et al.

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys.

End

1896 Choc 1895

State of Arkansas }
County of Conway }

Dr. H. T. Reid being duly
sworn deposes and says I am
88 years old. I have known
Geo. H. Taylor for the last
20 years I knew his wife
Mary C. Taylor having been
their ^{family} physician for a number
of years. I know the said
Mary C. Taylors children viz
Mary Palmetto, James Jackson
and Louie Magnolia.

I have no interest in the
prosecution of this claim
witness my signature hereunto
this 7th day of Sept. 1896

Henry T. Reid J.D.

Sworn to and subscribed before
me the undersigned authority
a Justice of the Peace within and
for the County and State above
named and I certify that said
officer Dr. H. T. Reid is personally
known to me to be a creditable
and respectable person - over -

So, known and considered in this
Community where he resides.
And I further certify that I
am not interested in the above
application for citizenship

In testimony whereof
witness my hand and official
signature hereunto.

This Sept. 7th, 1896

W. L. Conley
Justice of the Peace

State of Arkansas }
County of Conway }

I Wm M. Chronister being
duly sworn deposes and
says I am 48 years of age
my Post Office Address is
Cleveland Conway
Co. Ark.

I was well acquainted
Mary Caroline Taylor deceased
from her early girlhood
I knew her father and mother
Wilson Nichols and Delisha
Nichols. I have known the
Applicant of this claim the
husband of the said Mary
Caroline Taylor most all his
life and know the children of
Mary C. Taylor deceased consisting
of Mary Palmettie, James Jackson
and Lennie Magnolia.

I have no interest
in the prosecution of this claim
witness my signature hereunto
This 7th day of Sept. 1896

Wm. Chronister

- over -

Sworn to and subscribed before
me the undersigned a Justice
of the Peace within and for
the County and State aforesaid
and I certify that said affiant
N. M. Christie is personally
known to me to be a creditable
and reputable person so known
and considered in this County
where he resides.

And I further certify that
I am not interested in
the above ~~for~~ application
for citizenship.

In testimony whereof witness
my hand and official signature
This 7th day of Sept 1886
W. L. Conley
Justice of the Peace

Application for Citizenship

To the Hon. Agents Commission
of the United States for
the Indian Territory.

The undersigned respectfully
presents this his Application
and asks to be together with his
children placed on the rolls
of the Choctaw Tribe on
grounds as follows:-

that he is the lawful husband
of Mary Caroline Taylor deceased
whose name appears on the
an Application now before you
filed by James B. and Orrin
M. Nichols of Commauch's
T. I.

Said Application asked to be
made the basis of this Application
Applicant further states that
he married said M. C.

Taylor deceased as the daughter
of John Cooper whose name
appears on the ^{Choctaw} rolls having
the rights therein by blood
- own -

Applicant further states
that the issues as a result
of his marriage to said
Mary C. Nichols is
Mary Palmettis age 21 Female.
James Jackson male age 18.
and Lennie Magnolia age 17 Female
and I further certify that I
am 41 years old and a resident
of Cleveland Conway Co.

State of Arkansas

Geo H Taylor

Sworn and subscribed to
before me this 7th day of
Sept. 1896

W. L. Conley

Justice of the Peace

And I hereby certify that
I have known Applicant
and his said wife who
is now deceased more or
less for the last 30 years
and believe the facts above
stated are true and that
I have no interest in the
prosecution of said claim

W. L. Conley

Justice of the Peace

7002

300

G. H. Taylor
R

Choctaw Nation

FILED SEPT. 10 1896. 27

A. S. McKENNON

COM 'R'

Reputed

Cleveland Ark.

Cleveland, Ark. Sept. 1896

I W. P. ~~Chism~~ , do solemnly swear that I was present at the Post Office at this place and saw J. H. Taylor mail a package addressed to Gov. Jackson Executive of the Choctaw Nation at Atoka, I. T.

and that the same contained copies of an Application for citizenship in the Choctaw Nation.

Also copies of affidavits of W. M. Chromister and J. H. Reid and that said package contained
Registries No - 35

And that I have no interest in the prosecution of said claim.
W. P. Chism

Subscribed and sworn to before me this 8th day of Sept. 1896

W. L. Conley
Justice of the Peace

REGISTRY RECEIPT.	
Post Office at	Cleveland Ark
Registered Letter No.	35. Rec'd Sept 6, 1896
of	J. H. Taylor
	Cleveland
addressed to	Governor Jackson
	Atoka O. T.
	John A. Massengale

NO.....

CLAIM OF
Geo. H. Taylor et al
For Irish Law Citizenship

ANSWER.

FILED OCT. 22 1896
H. M. JACOWAY,
SECRETARY.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF John M. Taylor et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The claimants live in the State of Arkansas, and are
citizens of that State; that they have never affiliated with the
Choctaw Tribe, nor do they now show any intention of coming to
the Choctaw Nation. The proof is that he was married in the State
of Arkansas; that his wife lives there at the time of their marriage;
that they have never affiliated with the Choctaw Tribe, and their
marriage was under license from the said State of Arkansas.
This claim was received by Gov. Archer Sept. 23, 1890.

The Choctaw Nation

By

Stuart Gordon et al.

Its Attorneys.

End

1896 Choc 1396

1896 Choc 1396



Laura Thompson, 1880

NO.

CLAIM OF

Isaac Thompson
For Cherokee Citizenship

ANSWER.

Filed Oct. 19, 1896.
at W. Conway,
Sey.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Isaac Thompson

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence shows that the claimant lives in the state of Louisiana, and is a citizen of that state, and shows no intention of coming to the Indian Territory.

The evidence which has been filed in support of the petition is simply a statement of the belief of witnesses based on the appearance of the claimant, and statements made by him and his family.

This claim was received by Gov. Gardner Sept. 23, 1896.

The Choctaw Nation
By Shuart Jordan Kelly
Its Attorneys.

683

No 4412

1396

vs Thompson

vs

Choctaw Nation

Filed Sept 9th 1896

H. M. Geoway
Secy

H. H. McElindon

Amici laty La ally

Affidavit of Witness.

STATE OF LOUISIANA,

County of Avoyelles

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Thomas R. Stokes, who after being by me duly sworn, states that he is 52 years of age and a citizen of Avoyelles Parish County and State of Louisiana, and that he is personally acquainted with Isaac Thompson who is an applicant for citizenship in the Choctaw Nation, I. T., and affiant further states that the said Isaac Thompson is the identical person he represents himself to be in his application for citizenship in said Nation and that the said Isaac Thompson has always claimed to be a Choctaw Indian of the full blood, that he speaks the Choctaw language and has the complexion, features, manner and habits of an Indian and I have known him for ten years.

Affiant further states that he has known the said Isaac Thompson for the past 10 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having full Indian blood, and that the complexion and the appearance of the said Isaac Thompson indicates that the said Isaac Thompson is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Isaac Thompson affiant states that he has every reason to believe and does believe that the said Isaac Thompson is of full Indian blood. Affiant further states that he has no interest whatever in the prosecution of the claim of the said Isaac Thompson for citizenship in the Choctaw Nation, I. T.

T. R. Stokes

Subscribed and sworn to before me this 7th day of September, A. D., 1896, and I further certify that I am well acquainted with the said Thomas R. Stokes and know him to be a person of credibility and of truth and veracity.

Robert R. Dixon NOTARY PUBLIC.

My commission expires about the 12th day of August, 1901.

REGISTRY RECEIPT.

Post Office at _____

Registered Letter { No. 683 Rec'd _____ 1896
 of W. H. McCleendon

addressed to Jeff Gardner
Gayletown Id
Old Frayser P. M.

Commission to the Five Civilized Tribes.

VINITA, IND. TER., _____ 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows:

~~If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:~~

I, W. H. McCleendon, do solemnly swear that on the 9 day of September, 1896, I saw a package registered at the postoffice at Vinita Id., addressed to Jeff Gardner Governor or Chief of the Cherokee Nation, Gayletown Ind. Ter., that registry receipt, No. 683, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Isaac Thompson and of the affidavits of T. A. Stokes and _____ in support of same.

W. H. McCleendon

Subscribed and sworn to before me, on this 9 day of Sept, 1896.

A. S. McCann, Comr

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly received for by the Chiefs and Governors.

For the Commission.

Application for Citizenship

To the Honorable National Council of the
Choctaw Nation, Indian Territory, ~~the~~
~~day~~ ^{Gentlemen:}
The undersigned your petitioner this day
makes his application for citizenship in
the Choctaw Nation, in the Indian Territory
accordance with the Constitution and laws of said
Nation, and respectfully makes the following
statement of the grounds of his application to wit:
That he Isaac Thompson is the son of one
Thompson who the undersigned fully believes was an
Indian belonging to said tribe. The undersigned hereby
presents the above facts as the ~~grounds~~ ^{grounds}
for his application ~~from the~~ ^{and}
fully avails the time when his application shall
be truly heard and tried.

Respectfully Submitted.

Age 35 yrs - Past Officer
Cala, Arroyo Point, La.

Family, with their relationship attached is as follows:

No	Names	Sex	Age	Relationship
	Isaac Thompson	male	35 yrs	applicant
	Betsy, Retention	female	34 yrs	Wife of "
	John Thompson	male	11 yrs	Son "
	Sarah Thompson	female	9 yrs	Daughter "
	Oscar Thompson	male	7 yrs	Son "
	Leonia Thompson	female	4 yrs	Daughter "
	Mary Thompson	female	40 yrs	Sister "
	Alvise Thompson	female	37 yrs	Sister "

In witness of which application
I hereunto set my hand on this 7th
day of September A.D. 1896
Witness: ^{J. H. Lewis} J. H. Lewis } Isaac Thompson
Subscribed and sworn to before me
this 7th day of September 1896
Robert B. Johnson
Notary Public

End

1896 Choc 1397

1896 Choc 1397

Indian Territory } copy
Chickasaw Nation }
Dickens County } So

Before me the undersigned authority
on this day personally appeared
A. Nichols of Ardmore, Ind. Ter.
who being by me first duly sworn, on his
oath declares as follows; .

my name is A. Nichols, age 70 years,
I reside at Ardmore Ind. Ter.
I know Charles W. Thomas, the applicant.
He was married to my daughter
Minnie G. McCauley, on April 28th
1896 - Said Minnie G. McCauley is
a Chickasaw Indian by blood and
has always been recognized as
such by the Chickasaw Nation.
Said applicant and Minnie G.
McCauley were married in ac-
cordance with the Indian Law,
and are living together now
as husband and wife.

A. Nichols.

Subscribed and sworn to before me,
this 3rd day of Sept. 1896.

N. E. McCoy - Notary Public,
Southern District
Ind. Ter.,

(Chickasaw Nation). }
(Pickett County, }
Indian Territory }

To Hon David Com,
Enclosed please find my ap-
plication for citizenship in
the Chickasaw tribe of
Indians. My name is Chas.
W. Thomas, I was born in
the state of Virginia, my age
is 37 years old. I state
my case to your Honor. You
will see by enclosed cer-
tificates of my marriage
licence and of the Minister
who married us. I married
Mrs Minnie G. M. Canley, an
Indian woman by blood and
a daughter of A. and Susan
M. Nichols - Her mother being
a Chickasaw Indian by blood.
If your Honor, after examining
my case and you find my
proof sufficient to merit
your approval - you will
kindly place my name upon
the citizenship roll.

Chas W. Thomas

Subscribed and sworn to before me
this 3rd day of Sept 1896.

N. H. McLean, Notary Public
Southern Dist. Ind. Ter

No 418T
1397

Charles A. Thomas.

To.

Choctaw Nation

Oct Sept. 9. 96.

As. McKinnon.

Court

Granted

Admitted as and
Intermarried Citizen

Arduore J. J.

Indian Territory }
Chickasaw Nation }
Pickens County }

Before me the undersigned authority I
on this day personally appeared

Charles Mule of Dishomingo, Ind. Ter.
who being by me first duly sworn, on
his oath declares as follows;

My name is Charles Mule, age 46
years, I reside at Dishomingo,
Pickens County, I know Charles
N. Thomas the applicant, and his
wife Minnie G. McCauley, to whom
he was married in April 1896,

I know that said Minnie G. McCauley
is a Chickasaw Indian by blood
and has always been recognized as
such by the Chickasaw Nation -

Said Applicant and Minnie G. McCauley
were married in accordance with the
Indian law and are living together
now as husband and wife

Charles Mule ^{this} ~~mark~~

Subscribed and sworn to before me
this 3rd day of Sept 1896.

N. H. McCay Notary Public
Sanction Dist. Ind. Ter

End

1896 Choc 1398

1896 Choc 1398

94

No. 1398

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

P. S. & Rosa Tapp,

VS.

Choctaw -----

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED AND FILED FIRST DIVISION

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the
Five Civilized Tribes, the original papers, in the cause of
Rosa Sappah vs. *Choctaw* Nation, as follows:

Application Evidence
Answer Evidence
Certified copy orders
and judgment.

WITNESS my hand and official seal at *Andover*
this the *24* day of *May* 189*7*
J. W. Phillips
Clerk

No. 1398

P. A. J. J. J.

vs

Robertson Nation.

This memorandum is filed
in lieu of an order from the
Court, and the papers in the
above styled case have been
forwarded to the proper Court.

6-23

No. 1396

Rosa J. J. J.

vs

Robertson Nation.

This memorandum is filed
in lieu of an order from the
Court, and the papers in the
above styled case have been
forwarded to the proper Court.

6/23

End

1896 choc 1399

1896 choc 1399

#136

No. 1399.5

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

William R. Thomas

VS.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

FILED

FEB 22 1897

Joseph H. Smith Clerk.

Five Civilized Tribes, the original papers, in the cause of
W. L. Thomas et al vs. *Choctaw* Nation, as follows:

Application & Evidence
Ans. " "
Certified Cpy. entries &
Judgment

WITNESS my hand and official seal at Udumora

this the 22 day of Feb 1897

JOSEPH W. PHILLIPS
Clerk

#136

740-1316-1399D

M. L. Thomas

no

Cherokee Nation

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

M. L. Thomas et al

No. 136 vs.

Choctaw

NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of *M. L. Thomas et al* to be enrolled as members of the ~~Chickasaw~~ ^{Choctaw} Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 30 day of Jan, 1897.

Joseph P. Phelps
CLERK.

End

1896 Choc 1400

1896 choc 1400

Application of Citizenship
of Billy Toby

To the Honorable Commission of the
Choctaw Nation Indian Territory
Gentlemen the undersigned your peti-
tioner this makes. This is
Application for Citizenship in the Choctaw
Nation in the Indian Territory in accor-
dance with the Constitution and laws
of said Nation and respectfully makes
the following statement of the grounds
of this his application
to wit That petitioner is a full blood
Choctaw Indian belonging to said tribe
The undersigned hereby presents the
above facts as the lawful grounds for this
his Application For his
Citizenship by blood and respectfully
waits the time when his
Application shall be truly heard and tried
Respectfully Submitted

Billy Toby

Age 22 years Post Office Cornington La

Family with their relationship attached
as follow

No.	Name	sex	age	Relationship
-----	------	-----	-----	--------------

In witness of which application
thereunto set my hand on this the 11
day of August 1896. Billy ^{his} ~~mark~~ ^{Toby}
Subscribed and sworn to before me this
11 day of August 1896.

H. R. Warner
Clerk & Ex-officio Notary Public

Affidavit of Witness

State of Louisiana

Parish of St. Tammany

*Before Me the undersigned Clerk of Court
and in Office Notary Public in and
for the Parish and State aforesaid
personally appeared John P. Linnam
who after being duly sworn
deposes and states that he is*

*42 years of age and a citizen of
Parish of St. Tammany and State of Louis-
iana and that he*

*is
personally acquainted with Billy
Doby*

*Who is an applicant for citizenship in
the Choctaw Nation I.T. and affiant
further states that the said Billy*

*Doby is the identical person represented
himself to be in his*

*application for citizenship in
said Nation and that said Billy*

*Doby is a full blood Choctaw
Indian about 22 years of age*

Affiant further states that he has
known the said Billy Poly
for about 25 years and knows that

he has been recognized and
treated by his neighbors acquaintances
and the public generally as a person
having

Choctaw Indian blood
and the complexion and features con-
formance of the said Billy Poly

is an Indian blood. That from
the above facts and circumstances and
from statements made to him
by the said Billy Poly

Affiant states he has every reason
to believe and does believe that the said
Abeliver is of Choctaw Indian blood

Affiant further states that he has
no interest whatever in the prosecution
of the claim of the said Billy Poly
to citizenship in the

Choctaw Nation &c

J. C. Lemons

Subscribed and sworn to before me this

11 day of August

A.D. 1898 and I further certify

that I am well acquainted with the

said John C. Lumsden

and know

him to be a

person of credibility and of honest and

morality

H R Warner

Notary and Ex officio Notary Public

~~3390~~
1400
Choctaw Nation
Su 3384 for Service

Application
of
Billy Toby

Filed Sept 9th 1890
A. M. K. K. K.
am

Corrigitor
Don

Abilut in that case

State of Louisiana }
Parish of St Tammany }

I, J. M. H. [unclear] [unclear] Court
and in [unclear] [unclear] [unclear] in and for
the [unclear] [unclear] [unclear] [unclear] [unclear]
personally [unclear] **Alongo**

Sharp [unclear] [unclear] [unclear] [unclear]
dearly [unclear] [unclear] that **he is**

30 [unclear] [unclear] [unclear] [unclear]
of St Tammany, [unclear] [unclear] State of [unclear]
piana and that **he** [unclear] [unclear]
personally [unclear] [unclear] [unclear]

Billy Toby

Who is an applicant for citizenship in
the Choctaw Nation and [unclear] [unclear] [unclear]
further state that the said **Billy**

Toby is the identical person represents
himself to be in

his application for citizenship in
said Nation and that said **Billy**

Toby is a full blood
Choctaw Indian

About 22 years of age

Alliant further states that he has known the said Billy Toby for the past 15 years and knows that he has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Choctaw Indian blood and the complexion and physical appearance of the said Billy Toby

is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Billy Toby

Alliant states he has every reason to believe and does believe that the said Billy Toby is of Choctaw Indian blood.

Alliant further states that he has no interest whatever in the prosecution of the claim of the said Billy Toby to citizenship in the Choctaw Nation &c.

Along Sharp

subscribed and sworn to before me
this 11th day of August
1876 and I further certify
that I am well acquainted with the
said Along Sharp
and know him to be a
person of credibility and of truth and
sincerely
H. R. Marvin
Clerk and Ex Officio Notary Public

No.

—CLAIM OF—

Polly Foby

FOR CHOCTAW CITIZENSHIP.

ANSWER.

ED SEPT. 19 1896. ✱
A. S. MCKENNON ✱
—COM 'R'— ✱

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Billy Lohy

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is not sufficient evidence to establish claimants rights.

That the affidavits filed herein do not show that affiants are acquainted with history and ancestry of claimant, but based on hearsay.

That the evidence shows that claimant has never lived in the Indian Territory but has always lived in the State of Louisiana and enjoyed the rights of a citizen in that State.

The Choctaw Nation,
By *Stewart Gordon Hailer,*
Its Attorneys.

End

1896 Choc 1401

1896 Choc 1401

Good Land St, Aug 29-96.
To the same Commission
Gentlemen.

I herewith submit Evidence of my
right to citizenship in Chastaw Nt.
If Proof is not sufficient.
please advise me what is
necessary -

Very Respectfully.
J. E. Thomas

To the Hon. the Com.

No. 409

1401

Citizenship claim
of J. E. Thomas

J. E. Thomas

v.

Objection

Filed Sept 9-26.

Wm. J. [unclear]
[unclear]

Hoodland, Id.

Office of
County Clerk

To All to whom these presents shall
come Greeting:

Whereas Mr. J. E. Thomas a citizen
of the United States has presented to
me an application for Marriage License
to marry one Miss Daisy Hart a
citizen of Keimicki County Cherokee Nation
Therefore I S. B. Spring Clerk of the
County and Nation aforesaid after
due consideration of said application
find the same in accordance
with Law provided for in such
cases - Now therefore I do Grant
Mr. J. E. Thomas a License for the
express purpose herein stated
Given under my hand and
seal this the 19th day of Feb. 1895

S. B. Spring
County Clerk
H. C. & N.

This is to certify that I have this day
joined Mr. J. E. Thomas and Miss Daisy Hart
in the Holy Rite of Matrimony.

Indian Territory }
Central District } S. E. Matmon.
Geo. W. Pro. Judge.
H. C. & N.

I do hereby certify that the foregoing
is a true ~~copy~~ ^{document} of the original which
has been exhibited to me today. Attorney
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

REGISTRY RECEIPT.

Post Office at *Long Beach, Ca.*

Registered Letter No. *28* Rec'd *8-29*, 189*6*

J. E. Thurman

Addressed to *Gov. J. P. Gorman*

Washington, D.C.

Aug 29

1885, 8. 1

Wm. J. Thomas
+ 22 Oct 9-22

Wm. J. Thomas
V
J. E. Thomas

1041
No. 409

Wm. J. Thomas
J. E. Thomas

The Indian Territory
Central District
I hereby certify that this
is a Receipt for Rec. Letter
containing Duplicate
copy of Documents
Attached -
In Citizenship Claim
of J. E. Thomas -
J. E. Thomas
Notary Public

43¹²³

1401

No.

—CLAIM OF—

J. E. Thomas

FOR CHOCTAW CITIZENSHIP.

ANSWER..

*Filed Oct 7, 1896.
H. L. Thoway
Secy*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

J. E. Thomas

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

There is no proof that the wife of applicant is a Choctaw Indian.

There is no evidence that this claim has ever been disputed by the Choctaw Nation.

J. E. Thomas.

The Choctaw Nation
By *Mark Gordon & Healey*
Its Attorneys.

End

1896 Choc 1402

1896 Choc 1402

Application For Citizenship
of John Toby

To the Honorable Commission of the
Choctaw Nation Indian Territory
Gentlemen the undersigned your peti-
tioner this day makes This his
Application for Citizenship in the
Choctaw Nation in the Indian Terri-
tory in accordance with the Consti-
tution and laws of said nation and
respectfully makes the following
statement of the grounds of this

his Application to wit That
petitioner is a full blood Choctaw
Indian belonging to said tribe the
undersigned hereby presents the
facts in the several grounds for his

his application for his
Citizenship by blood and respectfully
awaits the time when his
application shall be truly heard and
tried Respectfully submitted

John ^{his} Toby
_{mark}

Age 19 years Post Office
Covington La

Family with their relationship stated
as follows

John Tobey male 19 years

In witness of which application I
came to set my hand on this the 11th
day of August 1896 John^{his} Tobey^{mark}
Subscribed and sworn to before me
this 11th day of August 1896.

N R Warner
Clerk & Ex-officio Notary Public

Oath of Witness

at St. Louis

at St. Louis

I, the undersigned, do hereby
swear that I am a citizen of
the United States and that I am
personally acquainted with
A. P.

Lacroix who after being sworn
do hereby state that he is

46 years of age and a citizen of
Paris, of St. Tammany and State of Louis-
iana and that he is
personally acquainted with

John Toby

who is an applicant for citizenship
in the Choctaw Nation and a resident
of the State of Mississippi and John Toby
is the identical person who represents
himself to be in

his application for citizenship in
said Nation and that said John

Toby is a full blood
Choctaw Indian

about 19 years of age

Albion further states that he has
known the said John Toby
for about 19 years and knows that
he has been recognized and
treated by his neighbors as a person
in the public presence as a person
having Choctaw Indian blood
and that the commission and official
acknowledgment of the said John

Toby is of Indian blood that from
the above facts and circumstances
and statements made to him

by the said John Toby
Albion states he has every reason
to believe and does believe that the said
John Toby is of Choctaw Indian blood

Albion further states that he has
no interest whatever in the prosecution of
the claim of the said John

Toby to citizenship in the
Choctaw Nation I. T.

A. P. Lacroix

Subscribed and sworn to before me
this 11th day of August
A.D. 1876 and I further certify
that I am well acquainted with the
said A. P. Lacroix
and know him to be a
person of credibility and of truth and
veracity. H R Warren
Clerk and Ex Officio Notary Public

3390 1402

Choctaw Nation

See 3384 for Service

Application
of
John Toby

Filed Sept 9-1892
As Mr. Krumm

Com

W. J. Krumm

Covington
La

Deedant of Interest

State of Indiana

County of Hamilton

I, the undersigned, being a competent clerk of the Court
in the within and above entitled cause, do hereby certify that

the within and above entitled cause is a case of appeal from the
County of Hamilton, and that the appellant is
known as **Alongo**
Sharp who is being by me
represented as being that he is

30 years of age, and a citizen
of the State of Indiana, and that he is
personally acquainted with

John Toby

who is the defendant for citizenship in
the Choctaw Nation, and I should
further state that the said **John**

Toby is the identical person who
himself to be in

his application for citizenship in
said Nation and that said **John**

Toby is full blood
Choctaw Indian

about 19 years of age

Alfiant further states that he has
known the said John Toby
for the past 15 years and knows that
he has ^{been} recognized and
treated by his neighbors, acquaintances
and the public generally as a person
having Choctaw Indian blood
and the complexion and physical ap-
pearance of the said John
Toby is of Indian blood that from
the above facts and circumstances and
from statements made to him
by the said John Toby
Alfiant states he has every reason
to believe and does believe that the said
John Toby is of Choctaw Indian blood

Alfiant further states that he has
no interest whatever in the prosecution
of the claim of the said John
Toby to citizenship in the
Choctaw Nation.

• A Sharp

who was and sworn before me
this 11th day of August
A.D. 1896 and further
that I am well acquainted with the
said Alonzo Sharp
and know him
to be of good character and of true and
veracity
H R Warren
Shut up Ex Officio

No. _____

—CLAIM OF—

John Toby

FOR CHOCTAW CITIZENSHIP.

ANSWER.

ED SEPT. 19 1896. ★

A. S. McKENNON

•COM'R—

STUART, GORDON & BAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

John Toby

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That the evidence is not sufficient to establish right of claimant.

That the affidavits filed herein do not show that affiants are acquainted with the history and ancestry of claimant, but are based on hearsay.

That the evidence shows that claimant has never lived in the Indian Territory but has always lived in the State of Louisiana and enjoyed the rights of a citizen of that State.

The Choctaw Nation
By *Stuart Gordon Hailley*,
Its Attorneys.

End

1896 Choc 1403

1896 Choc 1403

Received this day of 8th September in
the matter of citizenship of Susan Tobin Choctaw Nation, papers
purporting to be copies as follows:

An Application and affidavits by:

Susan Tobin, W.P. Burks, Mrs. Mattie
Dolan, H.P. Chiles

Stuart Gordon & Hailey
Atty's. for Choctaw Nation.

APPLICATION FOR ENROLLMENT.

To The Hon. Dawes Commission at Vinita Indian Territory.

Your applicant Susan Tobin would respectfully represent that she is a member of the Choctaw Tribe of Indians for the following reasons to wit; that she is the issue of Mrs. Nancy Burks who was an intermarried member of said Tribe of Indians by having married on the 3rd day of December A.D. 1846, to David Wall a member by blood of the Choctaw Tribe of Indians. That her mother was at all times after the marriage with the said David Wall recognized and treated by the said Tribe of Indians as a member of the same. That her mother Nancy Burks (Nancy Wall) lived with the said David Wall as husband and wife from the time of their marriage in the year of A.D. 1846 till the death of the said David Wall on the 25th day of July A.D. 1853. That after the death as aforesaid her mother Nancy ~~by~~ Wall, married on the 27th day of March A.D. 1856 to W.S. Burks (Father of your applicant and that her father W.S. Burks after the marriage with the said Nancy Wall has been recognized and treated by the said Tribe of Indians as a member of the same. That the said David Wall had one brother S.C. Wall ~~and~~ one sister Mrs. Giles Thompson (deceased) That the said David Wall his brother and sister, and the said Nancy Wall (Nancy Burks) and her father W.S. Burks were enrolled as members of the Choctaw Tribe of Indians. to which rolls reference is hereby given, that your applicant is a sister to Henry E. Burks who is also making application for enrollment, and reference is hereby given to the affidavits accompanying his application. That for school and other purposes ~~by~~ your applicant has been enrolled as member of said Tribe of Indians, by being enrolled as "a child of W.S. and Nancy Burks" Your applicant is now 37 years old and her present Post office is Denison Texas. That she was born and raised in the Choctaw Nation, Ind. Ter.

Wherefore application, affidavits, rolls, and affidavits in application of Henry E. Burks, considered, your applicant Susan Tobin asks that she be enrolled as a member of the Choctaw Tribe of Indians.

Susan Tobin
Applicant

Subscribed, and sworn to before me at my office in Denison Texas on this the 5th day of September A.D.

He Bone Jr.
~~Notary Public~~
Notary Public.

C. W. Barnett
Attorney for applicant

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the application of Susan Tobin
for enrollment as a member of the Choctaw Tribe of Indians.
on this the 3 day of September A.D. 1896 personally appeared before me
the undersigned authority, who being duly sworn according to law on oath
states, "That he is the father of the applicant Susan Tobin &
that he is now living, that he married on the 27th day of March A.D. 1876
to Mrs. Nancy Wall, that she was the widow of David Wall a member by
blood of the Choctaw Tribe of Indians, that the applicant Susan Tobin
is the issue of the said Nancy Wall (Nancy Burks) That the said Nancy
Burks and himself were recognized as member of the Choctaw Tribe of
Indians. That they were both enrolled as member of said Tribe Indians.
That she was recognized until her death as a member of said Tribe of
Choctaw Indians. That the applicant Susan Tobin issue of the said
Nancy Wall (Burks) was enrolled as a member of the Choctaw Tribe of
Indians, for School purposes, that she was enrolled as one of the 1/4
Children of W.S. And Nancy Burks, and probably not enrolled as an indi-
vidual member.

Subscribed and sworn to before me at my office on this the 3rd day of
September A.D. 1896

J. Blanton
Notary Public Southern District
Indian Territory, Pauls Valley.

To the Honorable

To the Honorable Henry L. Dawes, Chairman of the Dawes
Commission

Mrs. Mattie Dolan represents that she at present lives
in Penison Texas. That she is the daughter of Mrs. Susan Tobin.

That she is a member of the Choctaw tribe of Indians. That she
is a grand daughter of Mrs. Nancy Burks who was an inter married
~~XXXXXX~~ member of said tribe of Indians by living married on the 3rd
day of December A.D. 1846 to David Wall a member by blood of the Choctaw
tribe of Indians. That her grand mother was at all times recognized
and treated as a member of said tribe. That her grand mother lived
with said Wall as his wife till said Wall's death in 1853. That
after the death of said Wall her grand mother married W.S. Burks
on the 20th day of March A.D. 1856 and her said grand father has always
since his marriage with Nancy Wall been recognized as a member of said
tribe of Indians. That the said David Wall had one brother S.C. Wall and
one sister Mrs. Giles Thompson now dead. That the said David Wall his
brother and sister and the said Nancy Burks and W.S. Burks were enrolled
as members of said tribe of Indians to which rolls reference is hereby
given. That your applicant is a niece of Henry E. Burks who is also
making application for enrolment and reference is hereby made to the
affidavits accompanying this petition and the ~~XXX~~ petition of Henry E.
Burks and Mrs. Susan Toban. That your applicant is now Twenty one years
of age wherefore your petitioner prays to be placed upon the rolls
as a member of said tribe and for such other and further relief as she
may be entitled to under the law

Mrs. Mattie Dolan.
Subscribed & sworn to before
me on 5th day of September A.D.
1896
W. B. Jones Jr.

*Notary Public in & for
Lawson Co Tex.*

Before The Commission for the Five Civilized Tribes.

In the matter of the application of: Susan Tobin

For enrollment as a member of the Choctaw Tribe of Indians.

on this the ___ day of September A. D. 1906, personally appeared before me the undersigned authority, who being duly sworn by me on his oath, depose as follows, to wit: "That I am ___ years old that I am a resident of Pauls Valley I.T. that I am a citizen of the _____

That I was acquainted with David Wall of the Choctaw Nation who died in the year of A.D. 1868. That the said David Wall was a member by blood of the Choctaw Tribe of Indians.

I know Nancy Wall wife of David Wall and know that they lived together as man and wife till the death of the said David Wall as aforesaid.

I know also the said Nancy Wall married to W.S. Burks in the year of A.D. 1881.

I know that the said Nancy Burks and W.S. Burks were recognized as members of the Choctaw Tribe of Indians. I know Mrs. Susan Tobin

of Marshall Texas and know that she is the daughter of the said W.S. Burks

and Nancy Burks (Nancy Wall wife of David Wall a Choctaw) I know

Henry M. Burks whose postoffice is San Antonio, Texas and know that he is the son of the said W.S. Burks and Nancy Burks.

H. G. White

Subscribed and sworn to before me my office in Pauls Valley I.T. on this the 1st day of September A.D. 1906.

J. M. Dorchester
Notary Public Southern Dist
Indian Territory.

End

1896 Choc 1404

1896 Choc 1404

Post Office at Vinita
 Registered Letter No. 414 Rec'd
 of W. H. McClendon
 addressed to Jeff Gardner
Engletown, Ark
La Fayette, P.M.

Commission to the Five Civilized Tribes.

VINITA, IND. TER., 1896.

See that you swear to your Petition.
 Evidence of service of copies on the Chief or Governor may be secured as follows:
 If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:
 I, J. E. Lamberson, do solemnly swear that on the 7 day
 of Sept, 1896, I saw a package registered at the postoffice at
Vinita, Ind. Ter., addressed to Jeff Gardner
 Governor or Chief of the Cherokee Nation, Caglacum,
 Ind. Ter., that registry receipt, No. _____, received from postmaster, hereto attached,
 is a receipt for said package, which contained true copies of the application of
Paul Tassier and of the affidavits of Don C. de ren
 and _____ in support of same.

Subscribed and sworn to before me, on this 7 day of Sept, 1896.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

For the Commission.

Affidavit of Witness.

STATE OF LOUISIANA, }

County of _____

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Don P. Safflen, who after being by me duly

sworn, states that he is 45 years of age and a citizen of Calcasieu County and State of Louisiana, and that he is personally acquainted with Paul Tassier

who is an applicant for citizenship in the Choctaw Nation, I. T., and affiant further states that the said Paul Tassier

is the identical person he represents himself to be in his application for citizenship in said Nation and that the said Paul Tassier is

a resident of the Parish of Calcasieu & has been a resident of this Parish the greater part of his life. That said Tassier is about 25 years of age. Affiant further states that said Paul Tassier is a full blood Indian & is a perfect Indian in appearance & speaks the Choctaw language perfectly. Affiant being conversant with the language

Affiant further states that he has known the said Paul Tassier

for the past 12 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Choctaw Indian blood, and that the complexion and the appearance of the said Paul Tassier

indicates that the said Paul Tassier is of Indian blood.

That from the above facts and circumstances and from statements made to him by the said

Paul Tassier affiant states that he has every reason to believe and does

believe that the said Paul Tassier is of Choctaw Indian

blood. Affiant further states that he has no interest whatever in the prosecution of the claim of the

said Paul Tassier for citizenship in the Choctaw Nation, I. T.

Don P. Safflen

Subscribed and sworn to before me this second day of September A. D., 1896,

and I further certify that I am well acquainted with the said Don P. Safflen

and know him to be a person of credibility and of truth and veracity.

James J. Lewis NOTARY PUBLIC.

My commission expires on the 23 day of July 1899.

✓ No. ¹⁴⁰⁴
~~18-28~~

Paul Tassier
vs.
Chouan Nation

Filed Sept 9th 1896

A. S. McKinnon
Clerk
Court

Remitted

W. H. Henderson atty
Amite City La

Application for Citizenship.

To the Honorable National Council of Cherokee Nation, Indian Territory.

GENTLEMEN:—The undersigned, your petitioner, this day makes this his application for citizenship in the Shawnee Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of his application, to-wit:

That Paul Tavis is the son
of one of the Choctaw Tribe who the undersigned fully believes was an
Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his application for free citizenship by blood, and respectfully awaits the time when his application shall be truly heard and tried.

Respectfully submitted,

Age 25 years. Postoffice Doileau, La. Paul son
Family, with their relationship attached, is as follows : x
none

NO.	NAMES.	SEX.	AGE.	RELATIONSHIP.
	Mary Tamer	female	32	wife
	John Tamer	male	5	son

In witness of which application I hereunto set my hand on this the second day of September A. D., 1896.

Subscribed and sworn to before me this 2nd day of September A. D., 1896.

James J. Lewis NOTARY PUBLIC.

NO.

CLAIM OF

Payl Tasier
For Choctaw Citizenship

ANSWER.

1896

COMMISSIONER

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

By Stuart Gordon Huley
Its Attorneys.

End

1896 choc 1405

1896 choc 1405

11.
REGISTRY RECEIPT.

Post Office at Bowlington N.H.
Registered ^{Letter} ~~Parcel~~ No. 47 Rec'd Sept. 6, 1892,
of Mr. Tubby
Burgessville, S.T.
addressed to Hon. Jeff Gardner
Essex Town, S.T.
H. S. Brush, P. M.

RECEIPT

Oklahoma Territory
Central Dist

I Francis S. Brook do solemnly swear that on the 5th day of Sept 1896. I saw a package registered at the Postoffice at Cowlington Ind. Ter. addressed to Mrs. Jeff Gardner, Chief of the Choctaw Nation Eagle Town Ind. Ter. that registry receipt # 47 received from the postmaster hereto attached is a receipt for said package which contains true copies of the application of William Tubby and of the affidavits of Jimmie Bell & David Johnson in support of same.

Francis S. Brook, P. M.

Subscribed and sworn to before me on this 5th day of Sept 1896

John W. Robinson
Notary Public
for the Central Dist of
the Oklahoma Territory

Indian Territory }
Central Dist }

personally appeared before
me a Notary Public within
and for the Central Dist of the
Indian Territory

Ypinion Bell who after being
duly sworn by me according
to law deposed and says -
I am 40 years of age a
Citizen of the Choctaw Nation
I am a three quarter Choctaw
Indian by blood my
past office address is
Burgwin Ind Ia

I am personally acquainted
with William Tubby. I know
him to be a Choctaw Indian
by blood I was well
acquainted with his father
Louis Tubby, who is a full blooded
Choctaw Indian who now
lives in the old Nation near

He voted at our
last Election on the 5th
day of August 1896
and is accepted as
an Indian by all

who met him:

I know that he has never
applied to the Election Council
for Citizenship.

J. B. O. R.

Subscribed and sworn to
before me on this 3rd
day of Sept 1896

John W. Robinson
Notary Public

1405
No. 4492

Wm Tubby

Chocla Nation

Filed 7 Sept. 1896
H. M. Jacobson
Ind Ter

Granted

Burgwin
Ind Ter

known
by name

Indian Territory

Central Dist

personally appear to before
me a Notary Public within
and for the Central Dist of
the Indian Territory

David Folsom

after being duly sworn accord-
ing to law deposited and

says I am 23 years of age

a citizen of the Cherokee Nation

My first office address is

Burgess One Two

I am a Cherokee Indian by

blood. I am well acquainted

with William Tubby. I know

him to be a Cherokee Indian

by blood and that he voted

at our last Election on the

1st day of August 1896.

and is accepted by all

who want him to be an

Indian by blood.

Witness my hand this 3rd day

of Sept 1896

David Folsom

subscribed and sworn to before

me this 3rd day of Sept 1896

My comm Expires
Dec 20th 1899

John W Robinson
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

Cowington D.C.
Sept 1896

To The Hon Dawes Commission
Wash D.C.

I am petitioner William Tubby
aged 22 years I am a citizen
of the Cherokee Nation My post
office address is, Burgess D.C.
I make this application to
your honorable body for the
purpose of being placed
on the revised rolls of the
Cherokee Nation and of then
entitled to share in the
distribution of funds and the
allotment of lands in the
Cherokee Nation

Respect I am a
three quarter Cherokee Indian
by blood I am a son of
Louis and Mary Tubby. My
father Louis Tubby was a
full blood Cherokee Indian
and my mother Mary Tubby was
one half Cherokee Indian.
My father and mother are
both now living in winter

County Miss this last affair
address is Nokapita Miss.

I came from the old Choctaw
reservation in the state of
Miss to the Choctaw Nation
in the year 1895 I never
have made application to
the Choctaw Council for
Citizenship

My Father came to the Choctaw
Nation with his uncle
Eliak Tubby some time
after the treaty (made his
name when the Indians received
their first payment and
returned to Miss soon
thereafter.

I desire to further state
that I have two other witnesses
that are well acquainted
with my father and mother and
my people in Miss that
I am unable to get at the
present time on account
of my being confined to
my bed with a broken leg
and I herewith submit
their names and address
A H Bell Braidwood St
James Bath
Both of the above witnesses
are fullblooded Choctaw
Indians

and I hereby ask you
have the goodness to have
said witnesses make
affidavits in support
of same.

William M Tubby

Subscribed and sworn to
before me on this 3rd day
of Sept 1896

John W Robinson
Notary Public

4374 1405

NO.....

CLAIM OF
William Tubby

For Choctaw Citizenship

ANSWER.

FILED OCT. 22 1896
H. M. JACOWAY,
SECRETARY-

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF William Tubby

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence shows that the father of claimant remained in the State of Mississippi, and refused to come to the Choctaw Nation with the Choctaw Tribe at the time they left said State, and having come to the said Choctaw Nation in after years abandoned his residence here and went back to the said State of Mississippi to live. There is no evidence that this claim has ever been disputed by the Choctaw Nation.

This claim was received by Gov. Gardner Sept. 23, 1896, and therefore not entitled to be considered.

By The Choctaw Nation
Stuart Gordon & Wiley
Its Attorneys.

End

1896 choc 1406

empty

1896 Choc 1406

End

1896 Choc 1407

1896 Choc 1407

#139

No. 14075

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Julia Perry Mc

VS.

Choctaw

Nation.

Received and filed this

day of

189

Secretary.

FILED

FEB 22 1891

John H. Mc

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the

Five Civilized Tribes, the original papers, in the cause of

Julia Perry et al vs. *Choctaw* Nation, as follows:

Application & evidence
Ans. " "
Certified Copy entries &
judgment

Witness my hand and official seal at *Arkmore*

this the *22* day of *Feb* 189*7*

John W. Phillips
clerk

139

1402 J

Julia Perry Hobbs

77

Choctaw Nation

In the United States Court, in the Indian Territory,
Southern District, at Ardmore.

Julia Perry et al

No. 134 vs.

Cherokee

NATION.

Notice of Appeal.

To the Honorable Henry L. Dawes, Chairman of the Commission of the United States, to the Five Civilized Tribes of Indians.

SIR:—You are hereby notified that an appeal has been granted in the matter of the application of *Julia Perry et al* to be enrolled as members of the *Cherokee* ~~Chickasaw~~ Tribe of Indians from your Commission to the United States Court, for the Southern District, at Ardmore. You are therefore notified and ordered to immediately forward to the Clerk of this Court all of the original papers filed, used and considered in said cause by your commission, together with a duly certified copy of all orders, judgments and entries made and entered by you in trial and consideration of said cause.

WITNESS the HONORABLE C. B. KILGORE, Judge of said Court, and the seal thereof, at Ardmore, Indian Territory, this 30 day of Jan, 1897.

Joan M. Kilgore
CLERK.

End

1896 choc 1408

1896 choc 1408

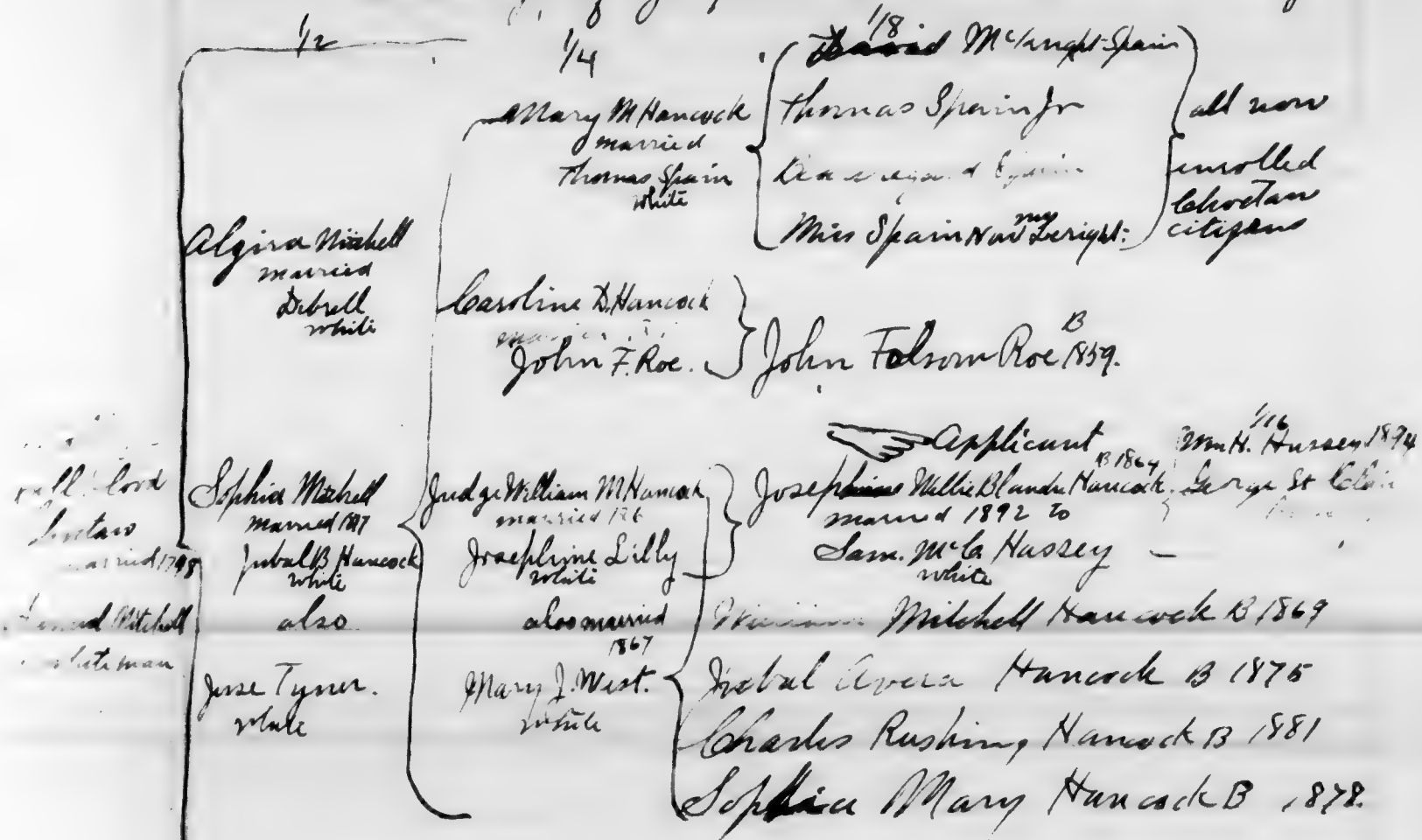
South McAlester, I.T Sept.7th.1896.

Received this day papers purporting to be copies in the
claim of Josephine W.B.Hussey for Choctaw citizenship before the
Dawes Commission;as follows;

Genealogy of Josephine W.B.Hussey;
Application of Josephine W.B.Hussey;
Certified copy of marriage certificate of Jubal
B.Hancock and Miss Sophia W.Mitchell;
Affidavit of D.C.Smith and W.W.Thompson;
Certified copy marriage license of Wm.M.Hancock and
Miss Josephine Lilly;
Affidavit of David McKnight Spain;
Affidavit C.R.Bailey and J.S.Thompson;
Affidavit of C.R.Bailey and J.S.Thompson;
Affidavit of C.R.Bailey and J.S.Thompson;
Affidavit of David McKnight Spain and Thomas Spain;
Affidavit of Mrs:Josephine Willie Blanch Hussey;.

Stuart Gordon Hailey
Atty for Choctaw nation

Genealogy of Josephine Nellie Blanche Kemock Hussey.



1. The first of these is the fact that the number of persons in the United States who are under 18 years of age is increasing at a rapid rate. This is due to the fact that the birth rate is high and the death rate is low. The result is that the population is growing at a rapid rate.

13

1671 near Lawrence Station near St. Joseph
"A" "L"

Louisiana
District Court
City of New Orleans

City of New Orleans
 John B. Wynn a Notary Public
 For the Parish of Orleans City of New Orleans
 Josephine Miller Blanche Murray
 that the said [illegible] is [illegible] true to

18th Nov 1880.
 Charles B. Appleton
 Her Pity Josephine Maria Wanda Mary

POOR ORIGINAL -
BEST AVAILABLE COPY

Q. 10. 1. 1. 1. 1.

27

стаи,

agreeable to the

Sal. & Son

... des autres

vous de même

... of white ...

inner Lane

H. H. Hibbard

of White County

[illegible]

27

D. C. Linn
H. L. Thompson

POOR ORIGINAL -
BEST AVAILABLE COPY

STATE OF LOUISIANA,
PARISH OF ORLEANS.

Be it remembered, That by virtue of a marriage license
issued by Asst. J. C. Crier, Third Justice of the Peace at
the Parish Court held, I joined in the said mar-
riage, at the City of New Orleans,

W. L. L. L. L.

and

Miss Josephine Lilly

this 1st day of December, A. D. 1901.

In testimony whereof I have hereunto signed in con-
junction with the parties and witnesses to said marriage,
in duplicate acts, this day and year above mentioned.

	(Signed: W. L. L. L. L.)
Parties	(" Josephine Lilly)
W. L. L. L. L.)	
Josephine Lilly)	
W. L. L. L. L.)	

Witness: J. S. Adams, Rector of St Luke's Church, N. O.

Above is a true copy of the original cer-
tificate of marriage of the above mentioned parties,
now in my possession as Minister in charge of Trin-
ity Chapel, built on the spot of St Luke's Church
as above, which was burned down and rebuilt under
the name of Trinity Chapel, New Orleans.

Seal of
Trinity Chapel
New Orleans

New Orleans, La.,

A. S. Adams
Minister in Charge
Trinity Chapel
New Orleans, La.

A true copy from the original now on file in Trinity Chapel,
New Orleans, La.

Signed and Sealed:

Wm. W. H.
United States Commissioner of
the Circuit Court for Eastern
District of Louisiana.

Triplicate.

137/2

STATE OF MISSISSIPPI,
LAUDERDALE COUNTY.

To any Judge, Minister, Justice or any other person
lawfully authorized to celebrate the rites of matrimony:-
I, the undersigned, do hereby certify the rites of matrimony between Mr.
Samuel Nelson Hickey and Mrs. A. J. Hickey, on the 10th day of
November, 1892.

Witness my hand and seal this 10th day of
November, 1892.

J. D. Hickey, Clerk

W. J. Hickey, Secy

STATE OF MISSISSIPPI,
LAUDERDALE COUNTY.

I, J. D. Hickey, Clerk of the Circuit Court in and for
said County and State, do hereby certify that the foregoing is a
true copy of a marriage license as shown by the records of said
court, issued to Samuel Nelson Hickey and Mrs. A. J. Hickey on
the 10th day of November, 1892, and that said license was duly re-
corded by me on the same date.

STATE OF MISSISSIPPI,
LAUDERDALE COUNTY.

I, J. D. Hickey, Clerk of the Circuit Court in and for
said County and State, do hereby certify that the foregoing is a
true copy of a marriage license as shown by the records of said
court, issued to Samuel Nelson Hickey and Mrs. A. J. Hickey on
the 10th day of November, 1892, and that said license was duly re-
corded by me on the same date.

I
Sam Nelson Hickey
W. J. Hickey
By A. H. Hickey
1892

I

[illegible]

10-20-68

JOHN P. KELLY, JR., President

POOR ORIGINAL -
BEST AVAILABLE COPY

STATE OF MISSISSIPPI,
County of Clarke.

Personall appeared before me, C.C. Ferrell, Clerk of the
Chancery Court of said County and State, *C.R. Bailey*
and *J.S. Thompson* who state upon oath that the follow-
ing facts are true as stated, to wit:-

That Wm. M. Hancock was duly and legally wedded to Josa-
phine Lilly on the 10th. day of December, 1861, in the City of
New Orleans, Parish Of Orleans, and State of Louisiana, and that
from this marriage there resulted issue as follows to wit:
A daughter, born on the ¹⁹28th day of ~~August~~ ^{May}, 1866, in *Quitman*
County of *Clarke* and State of *Miss.*, whose
name is Josaphine Willie Blanche Hancock, now Mrs. S.M. Nusser
and whose post office address is now New Orleans, Louisiana.
Affiants further state that Josaphine Hancock, nee Miss Josa-
phine Lilly, the wife of W.M. Hancock, now deceased, departed
this life on to wit:- the 13th. day of August, 1886, in County of
Clarke and State of Mississippi, and that afterwards, to wit:-
on the 3rd. day of December, 1867, in the County of Clarke and
State of Mississippi, he the said W.M. Hancock, was duly and le-
gally married to one Miss Mary Jane West, and that from this
marriage of the said W.M. Hancock and his wife Mary Jane West
aforesaid, there resulted issue as follows to wit:- Wm. Mitchell
Hancock Jr, born in Quitman, Clarke County, Mississippi, on the
15th. day of June, A.D. 1869; Mabel Avera Hancock, born in Quit-
man, Clarke County, Mississippi, on the 28th. day of June, 1875;
Charles Rashin Hancock, born in Quitman, Clarke County, Miss-
issippi, on the 20th. day of May, 1881, said parties being both of
the said Wm. M. Hancock, and his wife Mary Jane West aforesaid,
and a daughter named Sophia Mary Hancock, born in Quitman,
Clarke County, Mississippi, on to wit January 7th, 1878, and that

Sworn to and subscribed before
me this 15th day of August, AD, 1896.

Wm. B. Miller
Jos Thompson

Personall appeared before me, J.C. Fawcett, Clerk of the
Shenandoah County Clerk's Office, and State of Mississippi, _____

Given to and subscribed
this 12th day of August, 1890.
in Testimony Whereof,
1890 - 2000

Edward
Lipscomb

STATE OF MISSISSIPPI
Clarke County.

Personally appeared before me, C. C. Ferrell *Judge of the*
Honorary Court for said County and State,
C. R. Bailey — and J. S. Thompson — who ~~saw~~ upon oath
that the following named parties, Wm. M., Jubal A., Sophia M., Chas. R.
and Josaphine W. B. Hancock are personally known to them, and that
they are generally known and recognized as the children, born in
lawful wedlock, of their respectively ~~alleged~~ parents in the com-
munities wherever they have lived.

Seen and subscribed to this
the 10th day of August, 1896.

C. C. Ferrell
Clerk

C. R. Bailey
J. S. Thompson

STATE OF MISSISSIPPI,
County of Clarke.

Personally appeared before me, C. C. Ferrell, Clerk of
the Chancery Court of said County and State *C. R. Bailey* and
J. S. Thompson - personally known to me as credible persons who
say upon oath that they were personally acquainted with Mrs. Jose-
phine I. Hancock, nee Miss Josaphine Lilly, now deceased, and that she
was the lawfully wedded wife of Wm. M. Hancock, now deceased, and that
from this marriage there resulted issue, to-wit:- A daughter
named Josephine W. B. Hancock, who is now Mrs. S. H. Hussey.

Given and subscribed to this
the 15th day of August, A. D. 1898.

C. C. Ferrell
Clerk

C. R. Bailey
J. S. Thompson

C. J. BARTON
H. E. LONDON

[illegible]

ms. no. 2198.
 ----- *Fraxinella* -----

27

1941

Zach Gardner

Free Harbours
1872-1873

Jo Barton

2

STATE OF Louisiana
Parish of Cadiz
City of New Orleans

Personally appeared before me Charles B. Upton acting Public Clerk of

Josephine Willie Blanche Hursey
who says that she is, to the best of her knowledge and belief, the grand-daughter of Mrs. Sophia Turner, nee Mrs. Sophia [unclear], nee Miss Taylor Mitchell. Her Josephine Willie Blanche Hursey

and subscribe to this

the 18th day of August, 1891.
Charles B. Upton Notary Public
in the presence of Josephine Willie Blanche Hursey

Application
for
Choctaw
Enrollment &c.

Josephine
W. B. Mussey.

B. O. Barton
Atty. for Applicant.
Pauls Valley
A. T.

No.

—CLAIM OF—

J. M. B. Friesey
FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 9, 1896.
H. W. Friesey
secy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

J. W. B. Hursay

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

J. W. B. Hursay.

The Choctaw Nation
By *Stuart L. Jones & Harry*
Its Attorneys.

End

1896 choc 1409

1896 choc 1409

~~13th~~
4699 1408
J. F. Horne
Sydney A. Smith & Co
To 3rd Street Station
Darius Ind. Co.

Connected with one
defendant upon
claim and Petition of
E. J. Horne

FILED SEPT. 9 1896.
A. S. McKENNON
COM'R

Revised

DUNSTAN & WILLIAMS,
ATTORNEYS AT LAW,
ATOKA, IND. TER.

Receipt. South McAlester, I.T. Sep. 5th 1896.

Received of Dunstan & Wilkins in the claim for citizenship of J.F. Horne, Synthia A. Smith et al. vs. Choctaw Nation, papers purporting to be copies as follows;- Petition for citizenship and affidavit of E.G. Horne.

Mark Gordon Haley
Attys. for Choctaw Nation.

Chas. W. Dunstan being duly sworn says that the papers for which this receipt was given were true and perfect copies of the papers to which this receipt is attached.

Chas. W. Dunstan

Subscribed and sworn to before me this 7th day of Sep. 1896.

J. H. Wilkins
Notary Public.

J. F. Horne Syritia A. Smith et al
To the Citizenship Commission
The Dawes Indian Commission

Now on this day came J. F.
Horne and Syritia A. Smith formerly
Syritia A. Horne and represent that
they are bona fide residents of the Indian
Territory. That they are children of
Mary Horne formerly Mary Logan
who was a daughter of D. Logan
a part Choctaw Indian the other blood
being that of the white race

That they were born in the old in-
dian settlement in Miss.

That they are son and daughter
of Mary Horne nee Logan and are
brother and sister of E. J. Horne who
is a claimant before the Dawes Indian
Commission for citizenship

That they had a brother William
T. Horne who is deceased leaving surviving
him six children who are lineal
descendants of said D. Logan

That they have never been convicted
of the commission of any felony

That petitioner J. F. Horne was lawfully
married in the State of Texas in
1878 to Sarah A. Horne nee Davenport

a part white and a part cherokee or
cherokee Indian woman by whom he
has the following children living

Beulah B. Horne a daughter 16 years old
Homer C. Horne a son 14 years old
Dora D. Horne " daughter 11 years old
Robert F. Horne " son 7 years old
Earnest A. Horne " " 1 year old

That petitioner Sybil A. Smith
was lawfully married in Texas in 1876
to Maccus M. Smith a white man her
present husband by whom she has the
following children living.

Ira V. Smith a daughter 17 years old
Vergie L. Smith a son 16 years old
Edward L. Smith " " 15 years old
Cora A. Smith " daughter 10 years old
Arthur M. Smith " son 6 years old
Nellie M. Smith " daughter 1 year old

That their deceased brother William
T. Horne died in 1889 or 90 leaving him
survivors

Willie Horne a son 19 years old
Ora Horne " " 17 " "
Leland Horne " " 15 " "
Lafayette Horne " " 14 " "
Thomas Horne " " 12 " "
Annie M. Horne " daughter 7 " "

Wherefore premises considered petitioners
pray that this their petition be attached
to and become a part of their Brother
E. J. Horne's application and that the evidence
in support of his claim be taken as
evidence to support this their claim and
upon final hearing that they be admitted
to citizenship in the Choctaw Nation as
also the wife Sarah A. Horne and their
son Madison M. Smith and their names
as also that of their children alone
names and their deceased Brothers
children be duly placed upon the Rolls
of the Choctaw tribe of Indians for which
in due time they will ever pray etc.

J. F. Horne and Madison M. Smith
being duly sworn according to law
say that the matters set out in the
foregoing petition are true and cor-
rect as they verily believe J. F. Horne

M. M. Smith

Subscribed and sworn to before me
this Sept. 2nd 1896

J. H. Wilkins
Notary Public

United States of America
Indian Territory, Central Dist.

E. G. Horne being duly
sworn according to law says
My age is 69 years. My post-
office is Selo I. T.

I know J. F. Horne Secretary
A. Smith and E. J. Horne. They
are my children sons and daugh-
ter by Mary A. Horne formerly
Mary A. Logan who was a daugh-
ter of D. Logan a part Choctaw
Indian by blood. I was well
acquainted with D. Logan
He ~~was~~ ^{formerly lived in} ~~resided~~ in Miss.

W. J. Horne was also my son
He died in 1889 & 90 leaving
him surviving six children

E. G. Horne
Subscribed and sworn to before me
this Sept. 2nd 1896.

J. H. Wilkins
Notary Public

No.

CLAIM OF

J. H. Horne

FOR CHOCTAW CITIZENSHIP.

ANSWER.

26

A. S. HARRIS

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

J. A. Horn et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

None has been presented in support of this claim and the same should be held to be a part of the claim of J. A. Horn et al.

The Choctaw Nation
By *Stuart Gordon & Bailey*
Its Attorneys.

End

1896 choc 1410

1896 choc 1410

No. 410

E. J. Home Esq.

Choctaw Nation

DEPUTIES.
C. E. ATKINSON,
SOUTH McALESTER.
M. L. STONER,
SOUTH McALESTER.
A. D. McCANS,
ANTLER.
O. B. EDWARDS,
ATOKA.
E. H. CARR,
CAMERON.

United States Court in the Indian Territory,
Central District.

P. B. Stoner, Clerk.

TERMS OF COURT.
SOUTH McALESTER:
Second Tuesday in September and April.
ATOKA:
Second Tuesday in November and First
Tuesday in March.
ANTLER:
First Tuesday in December and Second
Tuesday in May.
CAMERON:
Second Tuesday in October and February.

South McAlester, Ind. T., Jan. 22nd 1897.

To the Honorable Dawes Commission,

Fort Smith, Ark.

Sir:

You are hereby notified that E. J. Horne
has taken an appeal to this court from the decision rendered by you
on the application of E. J. Horne
Commissioner No. 1410
vs The Choctaw Nation, for enrollment as a citizen of said Nation.

You will at the earliest time practicable, transmit to this
court a transcript of all the entries on your docket relating there-
to, together with the original papers, depositions and testimony
therein and your decision on said application.

Yours very respectfully.

P. B. Stoner
Clerk.

End

1896 Choc 1911

1896 Choc 1911

1411
Seine & Ours Comm
Application of
Hugh V. Hamilton
Choctaw Nation
No 1170

Filed Sept 5-1894
As McKennon
Comm

C. Hamilton
P. C. Hamilton
A. C. Hamilton

J. P. Connor
Connor's atty

North McAlester, Ind. Dec. 5th, 1886.

Received this day papers pertaining to a claim in the claim of _____
August L. Smith for Choctaw Citizenship as follows,
_____ and _____, associates and affiliates of
L. B. Perkins & Co. Choctaw

Shuart Gordon & Haley
Attorneys for Choctaw Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

Hugh H. Hamilton, Applicant for enrollment as a member of the Choctaw Tribe of Indians

YOUR APPLICANT *Hugh H. Hamilton*, respectfully represents to this Honorable Commission that he is a regularly recognized member of the Choctaw Tribe of Indians of the Indian Territory and is a bona fide resident of the Choctaw Nation and is entitled to be placed upon the rolls being prepared by this Honorable Commission, as a member of said Choctaw Tribe or Nation, for the following reasons to-wit:

1st. There is no correct and perfect roll of the members of the Choctaw Tribe of Indians, and no law or authority for the Choctaw Nation to make such rolls.

2nd. Your applicant was on the 18 day of July 1881 a citizen of the United States and a white man, and resident of the Choctaw Nation and was on said date legally and in compliance with the laws of the Choctaw Nation married to *Abelle Choctaw* widow nee *Abelle Russell* who was then and is now a regularly recognized member by blood of the said Choctaw Tribe of Indians, a copy of the marriage license and the certificate of marriage is hereto attached and marked exhibits "A" and "B" and made a part hereof.

3rd. By virtue of said marriage your applicant became a member of the said tribe of Indians and has ever since been so recognized by the other members of the said nation and his membership has never been denied or forfeited.

Your applicant files herewith the affidavit of *L. H. Perkins* as additional proof of the membership of his wife *Abelle Hamilton* nee *Abelle Russell*. And ask that his name be placed upon the roll as a member of the Choctaw Tribe of Indians.

Hugh H. Hamilton
Subscribed and sworn to before me this the 9th day of

September 1896.

E. W. Minton
Notary Public for the Central District of the Indian Territory.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Hugh H. Hamilton, Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

ON THIS the *2nd* day of *September* 1896, personally appeared
before me the undersigned authority, *L. H. Perkins* who,
having been by me first duly sworn according to law states on his oath as follows
to wit:

"I am *42* years old, am a resident of *Talbot* county of
the Choctaw nation and am a member of the Choctaw nation. I am acquainted with
the applicant, *Hugh H. Hamilton* and have known him dur-
ing the last past *25* years. I know his wife *Arabella Choate, nee*
Russell and have known her for *31* years. I knew her father, *and*
Chickasaw mother ~~and know them and~~ her to be members, by blood, of the Choctaw Tribe of
Indians and they are so recognized by other members of the said Tribe. Ever since
the applicant married said *Arabella Hamilton* he has been re-
cognized as a member of the said Choctaw Tribe and his right has never been
disputed.

Mrs. Arabella Hamilton, was before her marriage
to the applicant a widow - *Choate nee Arabella Russell*, being the
daughter of *Byronne Russell* and
Polly Russell nee Brown as Polly Brown

The applicant is now a resident of the Choctaw nation.

L. H. Perkins

Subscribed and sworn to before me this the *2nd* day of
September 1896.

D. J. Rice

Notary Public for the Central District of the Indian Territory.

Indian Territory
second Judicial Division }
On this 1st day of September 1896,
Came before me, T. J. Rice, Clerk of the Public
within and for the Indian Territory
second Judicial Division, C. C. Choate
a citizen by blood of the Choctaw nation
Indian Territory, and states on oath that
in relation to the case of Hugh H. Hamilton
an inter married citizen in the Choctaw
nation. That on the 13th day of July 1888,
I was present when the said above named
Hugh H. Hamilton was married to Arabelle
Choate a widow of Ed. Choate deceased and
her maiden name was Arabelle Russel, and
~~she is a Chickasaw~~ ^{1/4} Choctaw, by blood
^{1/4} Chickasaw ^{1/4} Choctaw, and I further state
that I signed his application for license and saw
him married and that he was married according
to the laws and in compliance with the Choctaw
laws and regulations

C. C. Choate

Subscribed and sworn to before me on
this 1st. day of ~~September~~ September 1896.

J. J. Rice
Notary Public

No.

—CLAIM OF—

Hugh H. Hamilton
FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *Oct. 1,* *
A. S. M. K. N. O. R.
—

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Hugh H. Hamilton

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

HUGH H. HAMILTON.

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys.

End

1896 choc 14/2

1896 choc 14/2

Application for Citizenship

Indian Pen
Atoka County

Before me the undersigned a Notary Public
this day personally appeared Lillie Harkins
applicant for citizenship in the Choctaw
Nation who after being duly sworn stated
as follows

My name is Lillie Harkins. I am
20 years of age. My Postoffice address is
Coal Fire, Indian Pen. I am a citizen
of the Choctaw Nation by marriage.

I am married 21st day of September 1891
to L. B. Harkins who is a Choctaw citizen
by blood. He being a son of H. B. & Melvin
Harkins who were both citizens by blood.

Being married according to the Choctaw
Law when a Choctaw marries a white
woman no license is required here
we had no license but I beg to refer
to the attached certificate of marriage.

I ask that my petition be granted and
that I be enrolled as a Choctaw citizen
Nation my hand this 29th day of August
1896 Lillie Harkins

Seen to and sworn before me this 29
day of August 1896

J. B. Owsen

Know all men by these Presents:
That I the undersigned Minister of the
Gospel did on this 21st day of September
1891 perform the rites of matrimony between L. C.
Haskins & Lillie Caudle and that they
were duly united as man & wife.
Witness my hand this 21st day of September 1891
J. S. Morrow

Affidavit of Witness

In matter of Petition ^{and} Memorial of
Lillie Harkin for enrollment as a
Chorton Citizen.

Indiana
Attest

Before me the undersigned a Notary Public
of the County of ~~the~~ State of ~~the~~ said the day
personally appeared J. W. Harkin who
after being duly sworn says:

I am 35 years of age. My Post Office address
is Coal City, Indiana. I am a
Chorton Citizen by blood. I am personally
acquainted with the applicant Lillie
Harkin. I know that she married L. C.
Harkin who is a citizen of the Chorton
Nation by blood. He being a son of ~~the~~
Melvin Harkin who was both Chorton
citizen by blood. Lillie Harkin was born
in a United States citizen but having mar-
ried L. C. Harkin, according to the laws
and custom of the Chorton Nation she
became a citizen of said Nation by marriage
Witness my hand this 29th August 1896

J. W. Harkin

Seen to & signed before me this 30th of
August 1896

J. S. ~~robertson~~ ^{robertson}
My commission expires 20th April 1899

Affidavit of Witness

In matter of Petition ^{and} Memorial of
Lillie Harkins for enrollment as a
Chorton Citizen.

Indian Terr. }
Atoka County }

Before me the undersigned a Notary Public
of the County & State aforesaid this day
personally appeared J. L. Ward Sheriff of
Atoka County who after being duly sworn
states as follows.

I am 35 years of age, my birthplace Ind. Terr. I am
a Chorton Citizen by blood. I am fully
acquainted with the applicant. She
married L. L. Harkins a Chorton
Citizen by blood. Said Harkins was
a son of H. B. ^{and} Melvina Harkins
both Chorton Citizens. They were
married according to the laws and
regulation of the Chorton Nation and
Lillie Harkins is a duly recognized
Chorton by marriage.

Witness my hand this 29th August 1896

J. L. Ward

Seen to and sworn before me this 29th
day of August 1896

J. L. Ward

My commission expires 31st March 1897

No 4869 ~~1257~~
Applicant of
Lillie & Larkin
both of the
for Enrollment
Dover

FILED SEPT. 9 1896. ★
A. S. McKENNON
COM 'R'

[Signature]
Intermarried
H. T. V. Perry, atty
Coolidge N.

NO.....

—CLAIM OF—

Lula Harkins

For Contract Citizenship.

ANSWER.

Filed Oct. 9, 1896.

M. J. Conway
Scri.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The Choctaw Nation
By Stuart, Gordon & Hailey
Attorneys

End

1896 Choc 14/3

1896 Choc 14/3

¹⁴¹³
Margret O Harris
OS ~~1336~~
Choctaw Nation
No ~~3888~~

FILED SEPT. 18 1890
A. S. McKENNA
COM 'R

Intermarriage

man

Granted
Ralls Bros. attys.
Atoka, O. T.

South McAlistar, I. T. Sept. 8 1888.

Received this day papers purporting to be copies in the claim of _____

- Margaret E. Harris Choctaw citizenship, as follows:

Petition, marriage license and marriage certificate and affidavits of

- Jamison Hall

Thos Gordon & Haley

Attys. for Choctaw Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs *Margret E Harris* Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

YOUR APPLICANT Mrs *Margret E. Harris*, respectfully
represents to this Honorable Commission that she is a regularly recognized member of the Choctaw
Tribe of Indians of the Choctaw Nation and is entitled to be placed upon the rolls, to be pre-
pared by this Honorable Commission as a member of the Choctaw Tribe of Indians on the fol-
lowing grounds, to-wit:

1st. There is no true and perfect roll of the members of the Choctaw Tribe of Indians and
no law or authority for the Choctaws to make such a roll.

2nd. On the *31st* day of *Dec* 18 *62* your applicant was a white woman
and a citizen of the United States and on said day was legally married to
H. C. Harris, who was then and is now a regularly
recognized member by blood, of the Choctaw Tribe of Indians, a copy of the marriage certificate
is hereto attached and marked Exhibit "A," and made a part hereof.

That there was not then nor is there now, any law of the Choctaw Nation authorizing the
issuing of a marriage license and it was and now is the established custom for Choctaw men to
marry white women without a license from the Choctaw Nation and by such marriage white
women become members of the Choctaw Tribe of Indians and are so recognized by the Choctaw
authorities.

Your applicant files herewith the affidavit of *Sampson Hall*
as additional proof of the citizenship of said *H. C. Harris* and
the custom among the Choctaws and asks to be placed upon the rolls as a member of the Choctaw
Tribe of Indians.

Margret E Harris
Subscribed and sworn to before me this the *4th*
day of *September* 1896

M. A. Shreve
Notary Public for the Central District of the Indian Territory.

Co. Clerk, Red River Co. C. T.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
Mrs. Margnt E Harris Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

BE IT REMEMBERED. That on this the 4th day of Sept 1896,
personally appeared before me the undersigned authority *Sampson*
Hall who having been by me first duly sworn according
to law states on his oath as follows:

"I am 52 years old, I am a resident of *Red River* county of the
Choctaw Nation and a recognized member of the Choctaw Tribe of Indians. I have known
Mrs. *Margnt E Harris* and her husband *H. C. Harris* for 30 years.
her husband is a member, by blood, of the Choctaw Tribe of Indians and was such at the time he
married *her*, I knew his father and mother and they
were recognized members of the Choctaw Tribe of Indians. Mrs. *Margnt E Harris*
has ever since her marriage been a recognized member of said
Tribe.

At the time of Mrs. *Margnt E Harris'* marriage to
H. C. Harris it was the custom among the Choctaws for Indian
men to marry white women without a license and license was not granted. That custom still
prevails and white women who marry Indian men become members of said Tribe

Sampson & Hall
attest
Subscribed and sworn to before me this the 4th
day of *Sept* 1896.

H. A. Shoney
Notary Public for the Central District of the Indian Territory.
Co. Clerk, Red River Co. Okla.

To all to whom it may concern:
This is to certify that J. Cyrus
Byington a regularly ordained
minister of the Gospel of the Presby-
terian Church (my credentials
being recorded in the recorder's
office in and for the County of
Sevier in the State of Arkansas)
did solemnize the rite of matrimony
in the County of Sevier in said
State on the thirty first day of
December A.D. 1862 between Mary
C Harris of Eagle County, Choc-
tow Nation and Margaret E Lee
of said Sevier County - both of
full age according to the custom
of the Church of which I am minister
Given under my hand as such
minister of the Gospel this second
day of January A.D. 1863

J. Cyrus Byington
Minister of the Gospel
Filed for record the 20th day of
January A.D. 1863

W J Denson
Clerk & Ex officio Recorder.

State of Arkansas
County of Sevier

I, Elbridge Smith, Circuit Clerk
and Ex-officio recorder in and for
aforesaid county, do, hereby certify
that the foregoing is a true and
correct copy of the Certificate of
Marriage of Henry C. Harris to
Margaret E. Lee as recorded
in Marriage Record "B" on
page 281 of Sevier county
records.

Given under my hand and seal
as such clerk on this 22nd day of
July 1896

Elbridge Smith
Ct. Clerk & Ex-officio recorder
R. H. Hunsicker Sec.

No. _____

—CLAIM OF—

Margaret E. Harris

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Oct. 11
A. S. LCKENY
COM' R

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Margaret E. Harris

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no evidence that this claim has ever been disputed by the Choctaw Nation.

Margaret E. HARRIS.

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

1896 choc 14/4

1896 choc 14/4

Before the Commission
for the civilized tribes

No 442 ~~143~~

1414

Filed Sept 9-1896

A S McKinnon
Clerk

B. F. Hightower
Applicant
for

Chactaw Nation

Rall Bros attys
Atoka, I. T.

Granted.
J. P. Gorman
Rall Bros
Attys.

South McAliston, N. T. Sept 4, 1890.

Received this day papers purporting to be copies in the claim of Robert F. Lawrence for Choctaw citizenship as follows:
Petition, marriage license and marriage certificate and affidavits of Robert F. Lawrence

Stuart Gordon & Huley
Attys. for Choctaw Nation.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

B. F. Hightower, Applicant for enrollment as a member of the Choctaw Tribe of Indians.

YOUR APPLICANT, *B. F. Hightower*, respectfully represents to this Honorable Commission that he is a regularly recognized member of the Choctaw Tribe of Indians of the Indian Territory and is a bona fide resident of the Choctaw Nation and is entitled to be placed upon the rolls being prepared by this Honorable Commission, as a member of said Choctaw Tribe or Nation, for the following reasons to-wit:

1st. There is no correct and perfect roll of the members of the Choctaw Tribe of Indians, and no law or authority for the Choctaw Nation to make such rolls.

2nd. Your applicant was on the *28* day of *Aug* 187*3* a citizen of the United States and a white man and resident of the Choctaw Nation and was on said date legally and in compliance with the laws of the Choctaw Nation married to *Medora Hightower* nee *Medora Turner* who was then and is now a regularly recognized member by blood of the said Choctaw Tribe of Indians, a copy of the marriage license and the ~~certificate of marriage~~ ^{affidavit of R. F. Turner} is hereto attached and marked exhibits "A" and "B" and made a part hereof.

3rd. By virtue of said marriage your applicant became a member of the said tribe of Indians and has ever since been so recognized by the other members of the said nation and his membership has never been denied or forfeited.

Your applicant files herewith the affidavit of *Robert F. Turner* as additional proof of the membership of his wife *Medora Hightower* nee *Medora Turner* and asks that his name be placed upon the roll as a member of the Choctaw Tribe of Indians.

Subscribed and sworn to before me this the *28th* day of *August* 1896. *E. J. Newton*

Notary Public for the Central District of the Indian Territory.

Copy of Marriage
License of
Robert H. H. H. H.

Office of Marriage Records
J. H. Hinton

Aug. 16. 96.

June 21st 1873

2
 I wish to certify that one
 Benjamin Hightower, a Citizen of
 the United States does this day
 make application for a marriage
 license to be joined in the bonds
 of matrimony with one Medora
 Turner a Citizen of the Nation said
 Hightower having been a resident
 of this Nation for the period of
 one year or upwards of one
 year, and being now and
 being married

Since our arrival in camp and
since our there being no public
school we 23rd day of Aug 1873

L. M. Young Sept
 Friend and brother to
 C. M.

BEFORE THE COMMISSION FOR THE FIVE CIVILIZED TRIBES.

In the matter of the application of
B. F. Hightower, Applicant for
enrollment as a member of the Choctaw Tribe of Indians.

ON THIS the *28* day of *August* 1896, personally appeared
before me the undersigned authority, *Robert F. Turner* who,
having been by me first duly sworn according to law states on his oath as follows
to wit:

"I am *42* years old, am a resident of *Toluckey* county of
the Choctaw nation and am a member of the Choctaw nation. I am acquainted with
the applicant, *B. F. Hightower* and have known him dur-
ing the last past *24* years. I know his wife *Medora Hightower*
and have known her ^{from her infancy} ~~for~~ *years*. I knew her ~~father~~ ^{her mother} and
mother and know ~~them~~ and her to be members, by blood, of the Choctaw Tribe of
Indians and they are so recognized by other members of the said Tribe. Ever since
the applicant married said *Medora Hightower* he has been re-
cognized as a member of the said Choctaw Tribe and his right has never been
disputed.

Mrs. *Medora Hightower* was before her marriage
to the applicant a *Miss Medora Turner*, being the
daughter of *Robert F. Turner* and
Addielisa F. Turner

The applicant is now a resident of the Choctaw nation.

And has been continuously since his
marriage to *Medora Hightower*.
I am a Brother of *Medora Hightower* and
was present at ~~the~~ ^{her} marriage to Your Applicant.
Robert F. Turner

Subscribed and sworn to before me this the *28th* day of
August 1896.

G. M. Norton
Notary Public for the Central District of the Indian Territory.

No.

—CLAIM OF—
B. A. Hightower
FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED *CA.* 11 1907
A. S. HIGHTOWER

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

B. F. Hightower

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

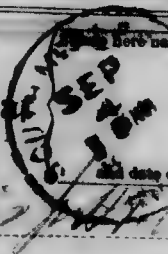
SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That there is no evidence that this applicant has ever been enrolled as a citizen of the Choctaw Nation.

The Choctaw Nation
By *Stuart Gordon & Harley*
Its Attorneys.

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.
A penalty of \$300 is fixed by law for using this card for other than official business.

Post Office Department.
OFFICIAL BUSINESS. **Post Office at** 

RETURN TO:

Name of Sender James McCallister

Street and Number, }
or Post Office Box. }

Post Office at Coalgate, Ind. Ter.

County of _____ State of _____

REGISTRY RETURN RECEIPT

Reg. No. 101 from Post Office at St. Louis, Mo.

Reg. Letter } Addressed to Mr. J. M. Smith
Reg. Parcel }

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED LETTER PARCEL

(SENDER'S NAME OR OTHER NAME.)

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

John G. Smith

* Return letter or parcel according to which sent.

End

1896 choc 1415

1896 choc 1415



Indian Territory,

SS

Southern District,

Affidavit of Jos. Colbert,

Purcell, I.T.

Before me the undersigned authority personally appeared Joseph . Colbert, who after being by me duly sworn states that he is 39 years of age a resident of Pontotoc County Chickasaw Nation, I.T. & of Chickasaw Indian blood, that Mrs Enla Hibdon, who is an applicant for citizenship is a white woman, a Citizen of the Choctaw Nation, by marriage having married Charley Hibdon, on Dec the 25th 1890, who was a Choctaw Indian by blood, & a nephew of Dave Spain of White Bear, I.T. who is a Choctaw Indian by blood, they complied with the Laws of said Nation in regard to Non-Citizens marrying in to said tribe of Indians, she has 2 children viz: Jessie. age 4 & Charlie. age 2.

Joseph B. Colbert

subscribed & sworn to before me this 4th day of sept 1896.

& I hereby certify that I am acquainted with the said J. Colbert, & know him to be a person of credibility, of truth, & veracity,

S. E. Connelley

Notary Public Southern District, Ind.Ter.

Smith

Indian Territory.
Southern District,

SS

~~Notary Public~~

To The Hon: Dawe's Commission,
Vinita, Ind.Ter.

Gentlemen:

I the undersigned your petitioner respectfully make the following statement of facts constituting my grounds for Citizenship in the Choctaw Nation, Ind Ter. to-wit: name Mrs Enla. H. Hibdon, a resident of Pontotoc County Chickasaw Nation, I.T. age 23 years I am a white woman a citizen of the Choctaw Nation, by marriage having married Charley. Hibdon, on the 25th day of Dec 1890. as shown by the marriage ~~certificate~~ Certificate here enclosed, my husband the said Charley. Hibdon, was a Choctaw Indian by blood, who died in 1893 he was a son of Mrs F.O.Leawright, who lives at Mc Gee, I.T. he was also a Nephew of Mr Dave. Spain, of White Bead, I.T. I have two Children viz: Jessie. age 4 & Charley. age 2,

Subscribed & sworn to before me this day of Sept 1896.

[Signature]

Notary Public Southern Dist, Ind.Ter.

Notary

Indian Territory.
Southern District,

SS

~~Southern District,~~

To The Hon: Dawe's Commission,
Vinita, Ind.Ter.

Gentlemen:

I the undersigned your petitioner respectfully make the following statement of facts constituting my grounds for Citizenship in the Choctaw Nation, Ind Ter. to-wit: name Mrs Fula. H. Hibdon, a resident of Pontotoc County Chickasaw Nation, I.T. age 23 years I am a white woman a citizen of the Choctaw Nation, by marriage having married Charley. Hibdon, on the 25th day of Dec 1890. as shown by the marriage ~~certificate~~ Certificate here enclosed, my husband the said Charley. Hibdon, was a Choctaw Indian by blood, who died in 1893 he was a son of Mrs F.O.Leawright, who lives at Mc Gee, I.T. he was also a Nephew of Mr Dave. Spain, of White Bead, I.T. I have two Children viz: Jessie. age 4 & Charley. age 2,

Subscribed & sworn to before me this day of Sept. 1896.

[Signature]

Notary Public Southern Dist, Ind.Ter.

done

Application
of ~~1334~~
14/15-
Mrs. Julia Hibdon
for
Citizenship
to
become citizen

3782

FILED SEPT 9 1890
A. S. McKINNEY
COM'R

F. M. J. D.

Admitted to citizenship as an
naturalized citizen
her children
resided in
Grants

REGISTRY RECEIPT.

Post Office at Purcell I.T.
Registered Letter } No. 160 Rec'd 9/5 1896.
Parcel }
of G.M. Fox
addressed to Gov Jefferson Wardner
Sub. Okhoma. I.T.
Wm. L. Lardy P.M.

Indian Territory, SS
Southern District,

Affidavit of *Josh. Glady*
Purcell, I.T.

I *Josh. Glady* do Solemnly swear that on the *5th* day of
Sept. 1896. I saw a package registered at the postoffice at
Purcell, Ind. Ter. addressed to Jefferson. Gardner, Chief of the Ch-
octaw Nation, Indian Territory, that registry receipt, No *160*
received from postmaster, hereto attached, is a receipt for said
package, which contained true copies of the application of *John*
Bowles & of the affidavits of *H. R. Foy* *me in case of John Bowles*
in support of same.

subscribed & sworn to before me, on this

Josh Glady
5th day of *Sept*
E. C. C. C.

Notary Public Southern District, Ind. Ter.

Indian Territory, SS
Southern District,

Affidavit of *Josh. Clardy*

Durcell, I.T.

I, *Josh. Clardy*, do Solemnly swear that on the 5th day of *Sept.*

1896. I saw a package registered at the postoffice at

Durcell, Ind. Ter. addressed to Jefferson. Gardner, Chief of the Ca-
octaw Nation, Indian Territory, that registry receipt, No *166*

received from postmaster, hereto attached, is a receipt for said

package, which contained true copies of the application *of H. B. Haddon*

Haddon, & of the affidavits of *Josh. Clardy* & *William C. Jackson*
William C. Jackson in support of same.

subscribed & sworn to before me, on this

Josh Clardy
day of *Sept*, 1896.

E. Costello

Notary
Notary Public Southern District, Ind. Ter.

J. M. Fox,
ATTORNEY AT LAW,
Purcell, Ind. Ter.

Purcell, I.T. 5 1899

Honorable Dawe's Commission:

Vinita, I.T.

Gentlemen:

I here register to your address in two pkgs the following applications & affidavits, ~~John E. Bowles~~ Mrs. Edna. Hixon, Choctaw & David. Mays, Chickasaw Geo. O. Walthall, Chickasaw & W. F. Seiffried, Chickasaw all of these parties have been recognized Citizens ever since they was married having complied with all the Laws of said Nations in every respect, I have forwarded to the Governors of said Nations a true & correct copy of all the papers in each & every case as the enclosed affidavits will show,

Most Respectfully yours,

J. M. Fox

letter
of
instructions

Marriage Certificate.

United States of America, Indian Territory,

I C.F. Roberts, an ordained Minister of the Gospel, do hereby certify,
that on the 25th day of Dec. A.D. 1890. I did duly, & according to
Law, solemnize the rite & publish the Banns of matrimony between Mr
Charley. Hibdon, & Miss Eula. Jackson, of Paoli. I.T. Witness my
hand this the 30th day Dec 1890. my credentials are recorded in the
office of the Clerk of the U.S. Court at Ardmore, Ind.Ter.

Book A. page 35 & 36

C.F.Roberts,

Ordained Minister of
the Gospel,

NO.

CLAIM OF

Mrs. Eula Hibden.

For Choctaw Citizenship.

ANSWER.

Filed Oct. 9, 1896,
H. W. Jacobson
Sey

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mrs. Eula Hibden.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The proof fails to show that the alleged husband of the
claimant is an Indian by blood.

There is no evidence to show that this claim has ever
been disputed by the Choctaw Nation.

The Choctaw Nation
By Edward Gordon Bailey
Its Attorneys.

End

1896 choc 14/6

1896 choc 14/6

REGISTRY RECEIPT.

Post Office at Blair
Registered Letter } No. 5 Rec'd Sept 8, 1896.
Parcel }
of Mrs. Resiah Hoepfer & Thos
addressed to Governor & Chief of
The Boston Nation & Co
S. G. Hunt Oct -, P. M.

Central Jud Dist
Choctaw Nation }
County of Blue }
me a Notary Public

Personally appeared before

me L. J. Love

and after being by me duly sworn state on oath
that on the 8 day of Sep 1886 at the Postoffice
at Blue I saw a package registered to the governor
or chief of the Choctaw Nation & the register receipt
No. 5 - returned from the post office attached is a receipt
for said package which contained two copies of
the application of Mrs. Keiah Kooffer & Martha
Arppee & Mary Gannon and the affidavits of
John Nelson & John Alberson in support
of same

L. J. Love

Subscribed & sworn to before me
this the 8 day of Sep 1886

A. J. Kume

Notary Public for
Central Jud Dist & N

Central And Dis
Cherokee Nation

before the commission for the
fine civilised life in the midst of the opposition
of Mrs Keriah Hooper to court for enrollment
as a member of Cherokee Nation

Mrs Keriah Hooper
having been by me first And sworn that she is 60 years of age a Cherokee Indian by birth
that she is a granddaughter of Thomas Petty a Cherokee
Indian by birth & has been married as a citizen of the
Cherokee Nation & has been married that she is the mother
of living children by Mr. Thomas Hooper her husband
& that she is now 70 years of age. Mary Cannon age 43 yrs
married. John Hooper age 28 years married. Thomas Hooper
age 27 years married. Betty Hooper age 15 years married
and I pray that I may with mine be enrolled as
Indian Citizens my children as well being
without my trial this 25 day of Aug 1890

Keriah Hooper
Subscribed & sworn to before me this the
25 day of Aug 1890

N. D. Jones
Notary Public for
Central And Dis

Central Land Dis
 Choctaw Nation & The Commission
 of the five civilized tribes

Personally appeared before me John F. Eldon
 and after being by me duly sworn stated
 that he is 60 years of age a Choctaw Indian by
 blood and is well acquainted with Mrs
 Kessiah Koepper & her 2 daughters Mary Cannon
 Martha Kippes whose maiden name was
 Koepper & her mother maiden name was Petty
 & the children was greatgranddaughters of Thomas
 Petty who was living in the Choctaw Nation
 Blue Co in 1834 with trust in hand this 28 day
 of Aug 1836

John F. Eldon
notary

Subscribed & sworn to before me this 28 day of
 Aug 1836

A. P. Munn

Acting Public
 Central Land Dis &

Central and Dis.
County of Idaho

To the Commission of the
Five Civilized Tribes

Personally appeared before me John Allanson
a Choctaw Indian by blood and he being by me
Duly sworn that on Oath he is 24 years of age
and a recorded Indian and said he is acquainted
with Kessiah Hoopper and his 2 Daughters
Martha Hoopper & Mary Cannon whom in her
marriage was Hoopper & there mother maiden name
was Petty & his grandfather Simon Petty was a Choctaw
Indian by blood & was acquainted with him in
'84 & witnessed my hand this 19th day of Aug 1885

John Allanson

Subscribed & sworn to before me

This 28 day of Aug 1885

A. D. Kenna

Notary Public for

Central and Dis. Co.

Central Ind Dis
Court of Blount

The commission of
the five civilized tribes

in the matter of the application of Mrs Mary Gannon
Applicant for enrollment as a member of the Choctaw
tribe of Indians after being duly sworn that she is 43 years of age a daughter of Mrs Hooper & great
granddaughter of Thomas Pitts who was killed
in 1838 as a Choctaw Indian by blood
and father that she is the mother of four living
children and their names as follows

Robert Bryan age 23 years her only son
children by my second husband John Gannon
age 21 years Willie Gannon age 18 Fanny
Gannon age 16 Anne Gannon age 14 years
Bella Gannon age 11 James Gannon age 7 years
Stella Gannon age 4. I declare Gannon 2 years
and I pray my name & children be enrolled
as citizens of the Choctaw Nation

Witness my hand this 18 day of Aug 1856

I was married to Gannon in 1850

Mary Gannon

Subscribed & sworn to before me this

the 18 day of Aug 1856

A. F. Munn

Notary Public

for Central Ind Dis

14/16
66/14
~~13/13~~
Keriah Hooper
Choctaw Nation

FILED SEPT. 9 1896. ☆

☆A. S. McKENNON☆

⇒COM'R⇒

Refused

Blue 45

Central and Dis
County of Sum 20

to the Commission
for Indian enrolled lists

Personally appeared before me Mrs Martha Tripp
and after being duly sworn state she is 21 years
of age & she is the daughter Mrs Kesiah Cooper
and the great granddaughter of Thomas Pitts a
Choctaw and by blood whose name has
been enrolled as a Choctaw Indian & I am
the mother of three children by Tripp names
as follows Leroy Tripp age 6 years
Murtle Tripp age 4 years
Lloyd Tripp age 1 year

I am and I pray that Thomas be
enrolled with name as citizens & that he be the
of Indians without any doubt Aug 1885

Subscribed & Sworn to before me this

19 day of Aug 1885

J. D. Moore

Notary Public

for Central and Dis

NO. 1416

CLAIM OF

Mrs. Mary Cannon, et al.

For Choctaw Citizenship.

ANSWER.

*Filed Dec 4, 1900.
H. M. Peoway
atty*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mrs. Mary Cannon, et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

Service was not had until the 11th of September, 1890.

By *Stewart Gordon Bailey*
Attorney for the Choctaw Nation

1416 436

NO.....

CLAIM OF
Katie Hooper
For Choctaw citizenship

ANSWER.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Keciah Hopper

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

~~In this case only one of the witnesses state in any manner that the ancestors of claimant were Choctaw Indian, and that witness fails to state the amount of Choctaw blood in claimant, or her ancestors, and shows no knowledge of this fact.~~

The evidence is uncertain, and the witnesses show no familiarity of the history of claimant's ancestors, or her family, and fails to show that claimant is one-eighth blood Choctaw Indian.

This claim was received by Gov. Gardner Sept. 23, 1896, and therefore not entitled to be considered.

By The Choctaw Nation
Shurt, Gordon & Bailey
Its Attorneys.

NO.....

CLAIM OF

Mrs. Kesiah Hooper, et al

For Choctaw Citizenship.

ANSWER.

*Filed Oct 9, 1876.
Hughey & Co
Ry*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mrs. Kesiah Hooper, et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

Service was not had until the 11th of September, 1896.

By *Stuart Gordon Kinley*
Its Attorneys.

✓
NO.....

CLAIM OF

~~Martha Nipper, et al.~~

For Choctaw Citizenship.

ANSWER.

Filed Oct 9, 1896.

W. J. Coway
Secy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Martha Nipper, et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

Service was not had until the 11th of September, 1896.

The Choctaw Nation
By Stuart Gordon Wiley
Its Attorneys.

End

1896 Choc 1417

1896 Choc 1417

~~1339~~
+240 7419

Application of
Monkey Morris
et al
Before the Hon
Deives Commission
r

Choctaw Nations

Filed Sept 9-1896
A.S. McKinnon
Clerk

Repetit

Crossed & Crossed
T.H. Smith
Clerk

THIS APPLICATION RESPECTFULLY SUBMITTED TO THE HONORABLE DAWES
COMMISSION AND BASED UPON THE ACCOMPANYING AFFIDAVITS.

TESTIMONY to be introduced before the Honorable Dawes Commission, taken before H. A. Woestman, Notary Public, in the matter of the claim for citizenship in the Choctaw Nation, of Mackey Harris, his wife, Cornelia Harris, and children, Turner S. Harris, age 23, Phoebe E. Harris, age 22, Norman E. Harris, age 17, Preistlet Harris, age 13.

Affidavit of Willie L. Johnson,

Willie L. Johnson, having been duly sworn, states, that he is a first cousin of Mackey Harris, the above named claimant. That the said Mackey Harris is a son of Selina Harris, whose name before marriage was Selina Le Flore, and who was a daughter of Benjamin Le Flore, of Mississippi, and a sister of Campbell Le Flore and Aryann Lombard, citizens of Skulleyville County, Choctaw Nation, and Indians by blood of the Choctaw Nation. That affiant wishes hereby, under the instructions and request of his above named cousin, Mackey Harris, his wife and children, to make application before the Honorable Dawes Commission for the purpose of establishing their claims to the rights and privileges of Choctaw citizens in the Choctaw Nation.

Willie L. Johnson

SWORN to and Subscribed before me, this 1st day of September, 1896.

H. A. Woestman
Notary Public.

(My Com. expires Feb. 25/97.)

Affidavit of Aryann Lombard.

Aryann Lombard, having been first duly sworn, says, that she is personally acquainted with Mackey Harris, and knows that he is the son of Selina Harris, whose name before marriage was Selina Le Flore, and who was a daughter of Benjamin Le Flore, of Mississippi, and a sister of this affiant and of Campbell Le Flore, both citizens of Skulleyvilley County, Choctaw Nation, and Indians by blood of the Choctaw Nation. That affiant knows Mackey Harris to be a Choctaw Indian by blood and to be entitled to the rights and privileges of a citizen of the Choctaw Nation.

Aryann Lombard

SWORN to and Subscribed before me, this 1st day of September, 1896.

N. A. Houtman

Notary Public.

(My Com. expires Feb. 25/97.)

Affidavit of Campbell Le Flore.

Campbell Le Flore, having been first duly sworn, states, that he is personally acquainted with Mackey Harris, and knows that he is the son of Selina Harris, whose name before marriage was Selina Le Flore, and who was a daughter of Benjamin Le Flore, of Mississippi, and asister of this affiant and of Aryann Lombard, both citizens of Skulleyville, County, Choctaw Nation, and Indians by blood of the Choctaw Nation. That affiant knows Mackey Harris to be a Choctaw Indian by blood and to be entitled to the rights and privileges of a citizen of the Choctaw Nation.

Campbell Le Flore,

SWORN to and Subscribed before me, this 1st day of September, 1896.

W. A. Hartman

Notary Public.

(My Com. expires Feb. 25 /97.)

South McAlester, I.T.

Sept. 4th. 1890.

Received this day of W.L. Johnson, in the matter of citizen
ship of Monkey Barnes against the Choctaw Nation, papers
purporting to be copies as follows:

Petition, Affidavits of A. A. Lombard, Campbell

Stewart Gordon Hailley

Attys for Choctaw Nation.

No.

—CLAIM OF—

Mackie Harris.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

*H. W. Jackson,
Deer.*

STUART, GORDON & HALEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mackie Harris.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence shows that the applicant is a resident of the State of Mississippi, and a citizen thereof, and shows no intention of coming to the Indian Territory.

The evidence fails to show that claimant is of one-eighth blood Choctaw Indian.

No application has been filed in this case.

Mackie Harris.

The Choctaw Nation
By Stuart Gordon Bailey
Its Attorneys.

End

1896 Choc 1418

Court #96

1896 Choc 1418

of Henry Niten Brown (born May 21, 1902); on April 29, 1905, for the enrollment of Roy Lester Johnston (born October 28, 1903); on May 21, 1906, for the enrollment of Edna Arvel Johnston (born March 21, 1905); on April 14, 1905, for the enrollment of Rubie Dill Brown (born February 12, 1904); in 1899, for the enrollment of Elbert Knightington Brown (born October 8, 1899); on April 7, 1905, for the enrollment of Annie Jewell Brown (born December 2, 1902); on December 10, 1901, for the enrollment of Virgie Peck (born October 11, 1901); on April 8, 1905, for the enrollment of Prebble Peck (born February 19, 1904); on May 21, 1906, for the enrollment of Cassie Brown (born May 30, 1900) and Goldie Brown (born September 5, 1904); on April 17, 1905, for the enrollment of Nema May Scott (born May 15, 1903) and Lita Lois Scott (born February 1, 1906); on September 1, 1900, for the enrollment of Louie Herman Nichols (born August 19, 1900); on December 27, 1901, for the enrollment of Golda Ula Nichols (born September 15, 1901); on April 1, 1905, for the enrollment of Sylvie Jewel Nichols (born August 26, 1903); on April 14, 1905, for the enrollment of Cora Lee Nichols (born November 6, 1902); on April 6, 1901, for the enrollment of Daphne Myrtle Nichols (born February 20, 1901); and on May 21, 1906, for the enrollment of Teddy Golden Johnston (born June 15, 1905).

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "Nancy Cooper, et al. vs. Choctaw Nation" (1896 Choctaw Citizenship Docket, Case No. 1418), original application was made to said Commission, under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321), for admission to

Lester Johnston, Edna Arvel Johnston, Teddy Golden Johnston, Rubie Dill Brown, Annie Jewell Brown, Prebble Peck, Cassie Brown, Goldie Brown, Nema May Scott, Lita Lois Scott, Sylvie Jewel Nichols and Cora Lee Nichols should be enrolled as citizens by blood of the Choctaw Nation, under the provisions of the Act of Congress approved April 26, 1906 (Public No. 129), and it is so ordered.

I am further of the opinion that the application made for the enrollment of Daphne Myrtle Nichols as a citizen by blood of the Choctaw Nation should be dismissed, and it is so ordered.

Tamr Bixby,
COMMISSIONER.

Muskogee, Indian Territory,
Aug. 13, 1906.

96

No. 1418

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Nancy Cooper et al

VS.

Choctaw Nation.-----Nation-

Received and filed this day of

189

Secretary.

REVISOR JOB PRINT FORT SMITH.

Five Civilized Tribes, the original papers, in the cause of
Hucy Cooper vs. *Choctaw* Nation, as follows:

Ans.

Brief for Claimants

this the 10 day of April 1897

this the 10 day of April 1897
Jo. W. Phillips
Clerk

1418 436

NO 1418

CLAIM OF
Jas. W. Sanders,
For Naturalization.

ANSWER.

OCT. 22 1896
H. M. JACOVAY,
Clerk.

SHAW, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Jos. M. Sanders.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The claimant lives in the State of Missouri, and has never affiliated with the Indian tribe, and has during his whole life been a resident and citizen of the State of Missouri.

The evidence filed fails to show that he is a one-eighth blood Choctaw Indian, and the evidence is based wholly on statements made by the applicant and his family, and from his physical appearance.

This claim was received by Gov. Gardner September 23rd, 1890, and therefore not entitled to be considered.

The Choctaw Nation
By Stuart Gordon & Bailey
Attorneys

NO.

CLAIM OF

Joseph M. Sanders et al
for

the claim citizenship

ANSWER.

7. Feb. 19, 1896.

H. M. J. J. J. J.

Sey.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Joseph M. Sanders et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In in this case an affidavit of one witness has been filed to support the petition of claimant, and the testimony of this witness is based wholly on the appearance of the claimant, and statements made by claimant, and shows that said witness has no knowledge as to whether claimant has any Indian blood.

Applicant lives in the state of Mississippi; has ceased to affiliate with the Choctaw Tribe, and abandoned all rights in the Choctaw Nation, and shows no intention of coming to said Nation to live.

This claim was received by Gov. Gardner Sept. 21, 1896.

By *The Choctaw Nation*
Stuart, Gordon & Harley
Its Attorneys.

End

1896 choc 1419

empty

1896 choc 1419

End

NATIONAL ARCHIVES RECORDS SECTION

Roll 9

Target 2

Choctaw Freedmen - Index

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June 10, 1896.

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End

[REDACTED]

Ball 9

Target 3

Chester Freeman Applications 1 - 39

[REDACTED]

1896 doc FR 1

South Maalester, I. T. Sept. 5th 1898.
Received of J. P. Mullen papers purporting to be copies of
petition of Amanda Kincaid Et Al for citizenship in the Choctaw Nation
and the affidavits of Allen Moore, Jackson Kampalady and Amanda Kincaid
to support said claim.

Stuart Gordon & Hawley
Attys for Choctaw Nation.

No. 17462

IN THE MATTER OF

AMANDA KINCADE

Choctaw Nation

Petition and Memorial

FOR
CITIZENSHIP

In the CHOCTAW Nation, I. T.

Filed 7 Sept 1896
Am Jearway
Clerk

Hale

A. Freeman
Roll

J. P. Muller
Atty. for Petitioner

Dr. McAister
Jr

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McLELLAN, THOS. B. CARPENTER and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1898, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—The undersigned, your petitioner, for and in behalf of and children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which claim is based are as follows, to-wit:

My Name is Amanda Kincade, My P.O. Address is Ge. McAlester, I. T. I am 39 years of age. I am an admixture of Negro and Choctaw Indian, 1/2 Negro and 1/2 Choctaw Indian by blood. I am the late Kelley Frazer, who was a Choctaw Indian, a member of the Choctaw Indian tribe. He lived and died in the Choctaw Nation, he died about the year of 1862. My mother Malissa Choate was a Choctaw slave of George Schootes a Choctaw Indian, she was of African descent, that the said Malissa Choate was born in the year of 1853, and was residing in the Choctaw Nation on the Canadian River, she was a registered, free woman. Applicant inter-married with Willie Kincade and by such marriage 6 children here in after named have been born and are now living. The said Willie Kincade is an admixture of Negro and Choctaw Indian and 1/2 Negro and 1/2 Choctaw Indian by blood, he derives his Choctaw blood from the late Willie Hawkins a Choctaw Indian and his Negro blood from Celig Kincade, a Choctaw slave. The said Willie Kincade the husband of Amanda Kincade, is also a registered Citizen.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

Herewith submit an affidavit of herself and Jackson Compaluby.

and respectfully awaits the time and place when my application shall be heard and tried. Respectfully submitted,

Applicant.

NAMES.	AGES.	RELATIONSHIP.
Amanda Kincade	39 wife	Choctaw and Slave
Willie Kincade	45 husband	" "
Alice Kincade	15 daug	" "
Horris Kincade	13 son	" "
Saint Almore Kincade	10 "	" "
Nelly Kincade	7 daug	" "
Cecilia Kincade	4 "	" "
Isola Kincade	1 "	" "

Indian Territory.

District.

Personally appeared before me, the undersigned, a Notary Public within and for the

..... and aforesaid who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

Subscribed and sworn to before me this the day of 1896.

My commission expires on the day of 18.....

Notary Public.

Indian Territory }
2^d Judicial Division } 88.

I am now Jackson Kam-
palaby who after being duly sworn
according to law says that he is a
Choctaw Indian by blood sixty four
years of age that his Post Office address
is McAlester in the Indian Territory

That he is acquainted with Amanda
Kincaid & has known her all her life

That she was recognized as the
daughter of Kelley Frazier who
was a ^{full blood} Choctaw Indian ~~by blood~~

He Kelley Frazier said she was his
daughter & he clothed her & looked
after her as his own child.

She looks like Kelley Frazier
& shows her Choctaw blood

That he is not related to Amanda
Kincaid & has no interests either for
or against her.

Witness

C. B. Bruce.

Jackson ^{his} Kampalaby
mark

Subscribed & Sworn to before me this
8th June 1894 Jos. W. Phillips

by C. B. Bruce Deputy

AFFIDAVIT OF WITNESS

In the matter of petition and memorial of

Amanda Kinkade

for admission to citizenship in the

Choctaw Nation.

State of *Indian Territory*

County of *Solucksey*

SS

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared *Allen Moore*

who, after being by me duly sworn, states:

That *he* is *42* years of age, and a resident of the State of *Choctaw Nation* and County

of *Solucksey* and his post office address is *South McAlester, D.T.*

that *he* is personally acquainted with *Amanda Kinkade* who is an applicant for

Citizenship in the *Choctaw* Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

Affiant states: that my name is *Allen Moore*, I am a *Choctaw Indian* by blood and a citizen of the *Choctaw Nation, D.T.* Affiant further says that he was personally acquainted with the late *Kelley Frazer*, I became acquainted with him about 1875 and knew him personally up and until his death, which occurred about 1875, in the County of *Solucksey*, *Choctaw Nation, D.T.* and he was a full blood *Choctaw Indian* and a citizen of the *Choctaw Nation, D.T.* Affiant further says that he is personally acquainted with *Amanda Kinkade*, and that she is the reputed daughter of said *Kelley Frazer* and is recognized as a half blood *Choctaw Indian* and an admixture of negro and *Choctaw* blood.

Affiant further states: That *he* has known the said *Amanda Kinkade* for the

past *20* years, and knows that *she* has been and is recognized by her neighbors, acquaintances and the public generally as having *Choctaw* Indian blood, and that the complexion and physical appearance of the said *Amanda Kinkade* indicate that she is of *Choctaw*

Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said *Kelley Frazer*, he believes the

said *Amanda Kinkade* to be a descendent by blood of the *Choctaw*

Indian tribe, and a lineal descendent of the said *Kelley Frazer*, who was a *Choctaw*

by blood, and a citizen of the *Choctaw Nation*. *Allen Moore*

Subscribed and sworn to before me this *31*

day of *August*, 189*5*

H. W. Cummings

NOTARY PUBLIC

My Commission expires

AFFIDAVIT OF WITNESS

In the matter of Petition and Memorial of Amanda Kincade
for Admission to Citizenship in the Choctaw Nation, as a Choctaw
by blood.

STATE OF Ind. Terr.
COUNTY OF Dobuckey

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Amanda Kincade who, after being by me duly sworn, states: That she is 39 years of age, and a resident of the State of Ind. Terr. and County of Dobuckey and that she is personally acquainted with Choctaw who is an applicant for Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestry of Indian blood.)
Affiant further states her name is Amanda Kincade, she was born in Dobuckey County, Choctaw Nation, she was a daughter of George Schooter, a Choctaw Indian Citizen, and a member of the Choctaw Indian tribe.
Affiant further says that she was registered by the Choctaw authorities as a registered free woman.
Affiant further says that she is an admixture of negro and Choctaw Indian blood, that she is 1/2 negro and 1/2 Choctaw Indian blood; that she derived her negro blood from her mother, the late Malissa Schooter, who was a registered free woman.
Affiant further says that she derives her Choctaw blood from her father, the late W. Kelley Frazer, a Choctaw Indian.
Affiant further says that she inter-married with Willie Kincade, who is also a Choctaw Indian, and who is an admixture of negro and Choctaw Indian, and 1/2 negro and 1/2 Choctaw Indian, and by such marriage the following children are born and are now living: Alice Kincade, Horie Kincade, Saint Almore Kincade, Nelly Kincade, Cecelia Kincade and Edla Kincade.

Affiant further states: That she has known the said Choctaw for the past years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said Choctaw indicate that she is of Choctaw Indian blood and descent.
Affiant further says, that from the above facts and circumstances, and from what she has heard and knows of the family of the said Kelley Frazer, she believes the said Amanda Kincade to be a descendant by blood of the Choctaw Indian tribe.

Subscribed and sworn to before me this 1 day of Sept 1896

Amanda Kincade
Mary
M. M. McCreary
Notary Public

My Commission expires

No.

—CLAIM OF—

Amanda Lincoln

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

W. W. Faraway
Subj

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Amanda Kincaid.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

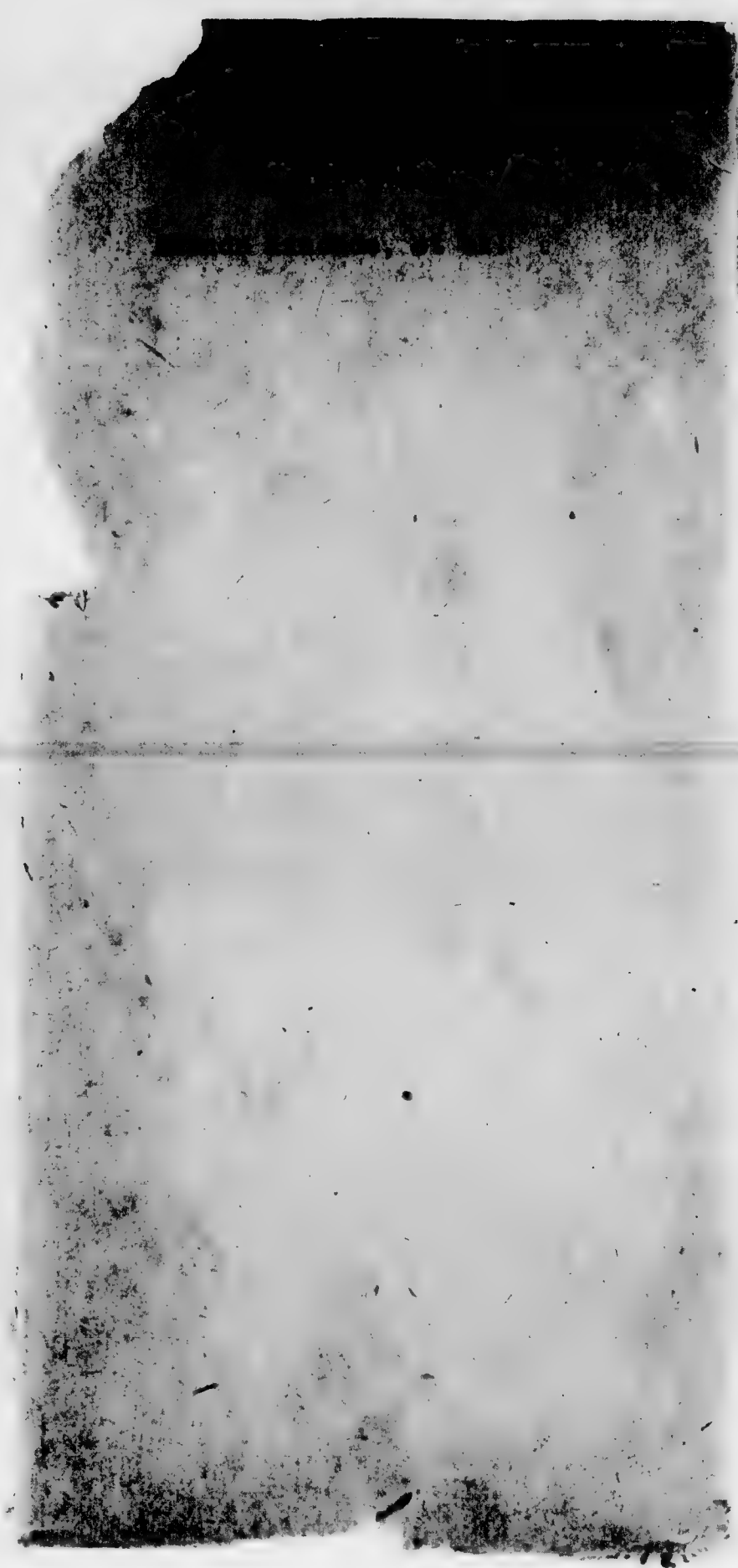
SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence shows that the applicant is an admixture of negro and Indian blood, and fails to show that she is a registered Choctaw freedwoman.

Amanda Kincaid.

By Stuart Gordon & Hailey
Its Attorneys.



End

1896 Chuc FR 2

Stonewall, Indian Territory Aug 25th 1896.

To the Honorable Dawes Commission
(to the Five Civilized Tribes)

Gents, Your petitioner most respectfully asks to be placed on the Rolls of Choctaw Freedman prepared by your Honorable Commission. For the following reasons To wit. I am a Choctaw Freedwoman about seventy years of age. I was in the Choctaw Nation long before the war. I was a slave and belonged to a half breed Choctaw Indian by the name of Charwahyoke. I was his slave when the war ended and I was freed, and was then in Atoka County, Choctaw Nation. I would further state, some years ago the Choctaw Indians Adopted their Freedman, and asked the Freedman to come up and register. But I was ignorant of Law and uneducated and lived a long distance away so I did not register, there being now no Law to register, as I know of. I now ~~and~~ respectfully ask that your Honorable Commission Enroll me as a Choctaw Freedwoman on the Rolls prepared by you.

Respectfully
Mary ^{her} Charles
mark

Subscribed and sworn to before me this
25th Day of Aug A.D. 1896. Geo. W. Thayer
Notary Public.

3703

Mary Charles

v.

6 Boston Boston

Feb 2/9/26

A. M. Jacobson
Sey

1895

Held for
Chosen two
Furniture roll

Stonewall, Ind. Ind. Terr.
Aug. 25th 1896

To the Hon. Daws Commissioners
Vinita Ind. Terr.

We hereby certify that we are
acquainted with Mary
Charles, and that she is an
Indian freedwoman and did
belong to an Indian, viz.
John a Choctaw viz.
she was anyone and lived
before the late rebellion in
Stoka Co. and said Mary
Charles was living in
Stoka Co. at the date of the
treaty at Ft. Smith. The
said Mary Charles has
failed to be placed in
Choctaw rolls on account
of living quite a distance
from the place where the
registering was going on
and not understanding
enough about law to take
advantage of the benefits
that was granted the freedman
of said Nation
H. Colbert

Samuel ^{this} Blue

Subscribed and sworn to before
me 1 25th day of August A.D.
1896.

Geo. H. Truax
Notary Public.
Southern Division Ind Ter

Executive Office,

Chickasaw Nation.

JEFF. GARDNER,
PRINCIPAL CHIEF.

Eagle Town Ind. Ter., Sept 3 1896

The copy of application, affidavits &c
in the case of Mary Charles (African descent)
claiming citizenship before the Dawes Commission
under treaty of 1866, is received to day

Jeff Gardner
P.C.C.N.

—CLAIM OF—

FOR CHOCTAW CITIZENSHIP.

Filed Oct. 7, 1896.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mary Charles.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence does not show that the applicant was ever registered as a Choctaw freed woman.

There is no evidence to show that this claim has ever been disputed by the Choctaw Nation.

Mary Charles.

The Choctaw Nation
By Stuart Gordon Bailey
Its Attorneys.

End

Choc FX 3

To Mr. Justice D. T. Aft 8th 1896
Received this day papers purporting
to be copies in the case of Cash Ellis
for Cherokee Citizenship as follows
Petition and affidavits of
Allen Morris and Mirra Miller
Stuart Gordon Bailey
Atty. for Cherokee Nation

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Cash Ellis
 for admission to citizenship in the Choctaw Nation.
 State of Ind. Terr.
 County of Yubuxy } SS

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Allen Moore who, after being by me duly sworn, states: That he is 43 years of age, and a resident of the State of Ind. Terr. and County of Yubuxy and his post office address is At McAlester; that he is personally acquainted with Cash Ellis who is an applicant for Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

I have known this applicant ever
since he was a small boy and lived
with his father Elijah Ellis. I know that
the said Elijah Ellis was a Choctaw and
a member of the Choctaw tribe in the Indian
Territory and was well and personally acquainted
with me and have known him. I know
that he raised this applicant as the child
and recognized him as such as did every
one that knew him. I am also well and
personally acquainted with his mother the
was one of the Choctaw.
I am a Choctaw Indian by blood and
a member of the Choctaw tribe in the
Ind. Terr. and not in any way interested
in the result of this claim.

Said Elijah Ellis and Paton are both dead.

Affiant further states: That he has known the said Cash Ellis for the past 20 years, and knows that he has been and is recognized by his neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said Cash Ellis indicate that he is of Choctaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Ellis he believes the said Cash Ellis to be a descendent by blood of the Choctaw Indian tribe, and a lineal descendent of the said Elijah Ellis

Allen Moore
 Affiant

Subscribed and sworn to before me this 9 day of Sept. 1896

My Commission expires Oct 14th 1897
Geo. A. Allen and
 NOTARY PUBLIC.

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Cash Ellis
for admission to citizenship in the Choctaw Nation.
State of Ind. Ten. }
County of Talbot } SS

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Merrill J. Scrites who, after being by me duly sworn, states: That he is 26 years of age, and a resident of the State of Ind. Ten. and County of Talbot and his post office address is Calcutta; that he is personally acquainted with Cash Ellis who is an applicant for Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

I have known applicant all his
life his father Elijah Ellis raised him
with the rest of his family and it was
generally the said Elijah Ellis lived as
men and wife with one Patsy who
was about our fourth Choctaw for about
seven or eight years we called her Patsy
Ellis and he lived with her until he
died as man and wife. I lived in the same
house and slept in the same room and
know this to be a fact. The applicant is
a child born to them during this time.
Cash Ellis was full blooded Choctaw
member of the Choctaw tribe and the said
Ellis a member of the Choctaw tribe as
a headman

Affiant further states: That he has known the said Cash Ellis for the past 36 years, and knows that he has been and is recognized by his neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said Cash Ellis indicate that he is of Choctaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Elijah Ellis he believes the said Cash Ellis to be a descendent by blood of the Choctaw Indian tribe, and a lineal descendent of the said Elijah Ellis.

Merrill J. Scrites
Affiant

Subscribed and sworn to before me this 8 day of Sept, 1896

My Commission expires

Gov. A. L. Williams
NOTARY PUBLIC.
Oct 14th 1897

No. *7066*

APPLICATION OF
Cash Ellis Et. Al.,

FOR
Enrollment in *Choctaw* Nation

Filed on the day of 189.

Sec. U. S. Com. Five Civ. Tribes.
M. M. Hendy
Attorney for Petitioner.

CAPITAL PRINT, South McAlester.

FILED SEPT. 10, 1897.
A. S. MCKENNON
COM. R.

Accepted

S. M. Alister
S. S.

John Commiskey
Notary Public
Sept 14 1897

APPLICATION FOR ENROLLMENT

Before the United States Commission to the Five Civilized Tribes of Indians:

Cash, Ellis

Et. Al.
PETITIONER,

VS.
Cherokee

Nation, Indian Territory,
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner Cash, Ellis states that Elijah Ellis was a Cherokee Indian by blood, was duly recognized by the proper authorities as such in the Cherokee Nation and enjoyed all the rights, privileges, benefits and immunities of other Cherokees Indians by blood in the said Cherokee Nation or Tribe of Indians, and that the name of the said Elijah Ellis appears or should appear upon the authenticated rolls of the said Cherokee Indians for the year

That the petition is a lineal descendant of the said Elijah Ellis to-wit: that he is a son of Elijah Ellis and Mary Ellis, who were married in the Cherokee Nation.

My father Elijah Ellis raised me and called me his son and I was generally known and was a part of the household and am yet a part of the Cherokee Nation. I have never received any money for my land which has been sold me with my mother.

That under the constitution, laws, usages and customs of the said Cherokee Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Cherokee Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities of other Cherokees Indians by blood.

That there are now living legal descendants of your said petitioner Cash, Ellis persons, as follows, to-wit: Cash, Ellis, a Applicant, and 30 years of age

Applicant further states that he has always exercised the rights of a Cherokee and has been enrolled in the Cherokee Nation. He is a son of Elijah Ellis and Mary Ellis, who were married in the Cherokee Nation. He has never received any money for his land which has been sold him with his mother.

Wherefore, the premises considered, your petitioner prays that his name, with those of

said descendants to-wit:

and

immunities of other.

be enrolled and admitted to all the rights, benefits, privileges and
Indians, in and to the

Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence namely:

and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner
will ever pray, etc.

The aforementioned petitioner,

set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Subscribed and sworn to before me, this

day of

1896.

Petitioner.

No. 7066	APPLICATION OF	El. Al.
	Cash Ellis	
	FOR	Nation
	Enrollment in	Cherokee
Filed on the	day of	1896
		Sec. U. S. Cong Five Civ. Tribe S.
		Attorney for Petitioner.
		CAPITAL PRINT, South McAlester.

Notary Public.
My Commission expires Oct 14 1897.
FILED SEPT. 10 1896
A. S. MCKENNON
COUNTY CLERK
So we submit
S. J.

End

Choc FR 4

I do swear that I am not
interested in this claim and
that a true copy of the petition
and affidavits hereto enclosed
was sent by registered mail
to the Governor of the Choctaw
Nation ~~at~~ August 31st. 1840

Witness my hand
and seal this 8th day of Sept 1840
J. M. L. [Signature]
[Signature]

Original
Aaron Johnson
Petition

United States of America
Indian Territory Cherokee
Nation

To the Hon Commission
to the free colored tribes
your petitioner Aaron
Johnson would most respec-
tfully show to your
honorable body that he
is the son of a Cherokee
freedman that his ~~father~~
mother Eliza that she
belonged to Jesse Cockron
who was a Cherokee Indian
That she belonged to said
Jesse Cockron at the begin-
ning of the war and until
the emancipation of slaves
that said Cockron bought
petitioners mother before
the war and kept her con-
tinuously from that time
until the said slaves
were declared free

Aaron Johnson
sworn to and subscribed
before me this 14th day of
August 1896 J. M. P. M. P. M. P.
notary Public

Indian Territory Clerk -
asow motion now on this
day comes J.B. Dagg and
A.L. Ingram two persons
whom I entreat to be respec-
table and entitled to con-
sider and state that they saw
the affiant sign his name
to the above and foregoing
petition that they believe
the petitioner to be credible
and the identical person
he represents his self to be.

J.B. Dagg
A.L. Ingram

Sworn to and Subscribed.
before me this 14th day
of August 1896 Jm. A. McFarland
Notary Public.

4133 1/2

Aaron Johnson

~~Chickara~~

Chocraw

Filed Sept 9. 1896
A. S. McKinnon.
Clerk

Ada
I. J.

United States of America,
Chickasaw Nation.
Indian Territory -

In the matter of the Claim of Aaron Johnson
to be enrolled as Son of a Choctaw
Freedman, W. L. Cochran being Sworn
in relation to said claim
Testifies as follows viz - my name
is W. L. Cochran, I am 62 years
old I know Eliza Brewer, the
mother of Aaron Johnson, I know
that at the time Slaves was freed
she belonged to R. L. Cochran, a
Choctaw citizen, And that for some
time, ~~several years~~ before the
Freedom of Slaves she was owned
by said R. L. Cochran, And I have
no interest in this claim,

W. L. Cochran

Subscribed and sworn to before
me this 26th Day of August A.D.
1896.

Geo. H. Truax,
Notary Public.

NO...

—CLAIM OF—

Aaron Johnson.

For Choctaw Citizenship.

ANSWER.

Filed Oct. 9, 1896.

Will. J. Sawyer
Sey

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Aaron Johnson.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence does not show that the applicant was here in the year 1866, and the proof is wholly insufficient to establish his right.

The Choctaw Nation
By *Alvord Gordon Bailey*
Its Attorneys.

End

Choc FR 5

Application of
665-1
Ebenezer Kemp
Alice Kemp
Fred D. Kemp
Laura Kemp
for enrollment
as citizens of the
Choctaw Nation

FILED SEPT. 9 1896.

A. S. MCKENNON

COM 'R'

To be considered

along with

See memo
Ols Kemp Atty
for Applicants.

APPLICATION FOR PROMOTION.

To the Hon. H. L. Daves, F. C. Armstrong, A. S. McKenna, T. B. Cabaniss, and A. B. Montgomery, United States Commissioners to the Five Civilized Tribes:-

The undersigned applicant, Spinezer Kemp, for and on behalf of himself and family, make it is their application to you for the purpose of being placed on the roll of Choctaw Freedmen, entitled to citizenship in the Choctaw Nation.

Applicant states that he is about thirty two years of age and resides in in the Chickasaw Nation near the town of Wynnewood, Ind. Terr.; that he is a Choctaw Freedman of African descent; that he was born in the Chickasaw Nation and was held as a slave ~~xx~~ in said Nation at the time of the Treaty of Fort Smith when the Choctaw slaves were set free, by Jackson Kemp, a Choctaw Indian by blood; that he is a son of John Kemp and Malina Kemp, who are both Choctaw Freed men and were held as slaves by the said Jackson Kemp at time of the said Treaty of Fort Smith.

Applicant further states that ~~xxxxxx~~ that his wife's maiden name was Alice Perry, whose age is about twenty six years, and that she was born in the Chickasaw Nation, and is a daughter of Lizzie Tutter, a ~~Chickasaw Indian~~ *Chickasaw Freedwoman* who was held in the Chickasaw Nation as a slave at the time of the ~~xxxxxx~~ said Treaty of Fort Smith, ~~xxxxxx~~ by Daniel Harris, a Chickasaw Indian by blood; that he and the said Alice Perry were legally married in the Chickasaw Nation on or about the first day of January 1886, and that by reason of said marriage and said union there has been born unto them two children, whose names and ages are as follows: Fred L. Kemp, age five years and Laura Kemp, whose age is three years.

Wherefore applicant prays that he and his wife and ~~xx~~ said children be placed on the roll of Choctaw Freedmen, entitled to citizenship in the Choctaw Nation, but if his said wife and said children are not entitled to be enrolled as Choctaw Freedmen, that they be enrolled as Chickasaw Freedmen and for all other proper relief.

Spinezer Kemp

Indian Territory
Southern District.

Before me the undersigned authority personally appeared Spinezer Kemp, who being by me duly sworn upon his oath states that the facts set forth in the above application are correct and true. Subscribed and sworn to before me this 26th day of August 1895.

Sydney District

Spinezer Kemp
Notary Public in and for the
Southern District of the
Indian Territory.

United States of America.
Indian Territory
Southern District. Affidavit of Alice Kemp

Before me the undersigned authority on this ~~day~~ 26th day of August, 1896, personally Alice Kemp, who after being duly sworn by me to tell the truth the whole truth and nothing but the, deposes and says ~~that~~ :- My name is Alice Kemp, my age is twenty six years, my residence one mile north of the town of Wynnewood, Ind. Ter.. I was born in the Chickasaw Nation, my mothers name is Lizzie Tutter; I was married to Ebenezer Kemp on or about the first day of January 1886, in the Chickasaw Nation, we have two children whose names and ages are as follows: Fred D. Kemp, age five years and Laura L. Kemp whose age is three years.

Alice Kemp

Subscribed and sworn to before me this the 26th day of August 1896.

John H. Kemp
Notary Public in and for the
Southern District of the
Indian Territory.

Southern
District

AFFIDAVIT OF MALINA KEMP

United States of America.
Indian Territory
Southern District.

Before me the undersigned authority on this the 26th day of August 1896, personally appeared Malina Kemp, who after being by me duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: My name is Malina Kemp, my age is about sixty years, my residence about one mile north of the town of Wynnewood, Ind. Ter. I was born in the Choctaw Nation, ~~Indian Territory~~ Indian Territory, am a Choctaw Freedwoman of African descent and was held and owned as a slave by Jackson Kemp, a Choctaw Indian by blood, at the time of the Treaty of Fort Smith when the Choctaw slaves were set free. I know Ibinezor Kemp, he is my son and his father's name is John Kemp. The said Ibinezor Kemp was born in the Chickasaw Nation and was about two or three years old when the Choctaw slaves were set free, he was held as a slave by the said Jackson Kemp at the time of the said treaty of Fort Smith; he was married to Alice Perry a daughter of Lizzie Tutter, about the first day of January 1886; and that the said Ibinezor Kemp and his said wife Alice Kemp have two children, whose names and ages are as follows: Fred M. Kemp age about five years and Laurel Kemp age about three years. I knew the said Daniel Harris lived in about two miles of him during slavery. I know that he was a Chickasaw Indian by blood and that the said Lizzie Tutter was held by him as a slave at the time of the said Treaty of Fort Smith.

Attest:
C. H. Borchers
Subscribed and sworn to before me this the 26th day of August 1896.
Malina Kemp
Notary Public in and for the
Southern District of the
Indian Territory.

S. H. Borchers
District

AFFIDAVIT OF LIZZIE TUTTLE

Indian Territory
Southern District.

Before me the undersigned authority on this the 29th day of August 1896. personally appeared Lizzie Tuttle, who after being duly sworn to tell the truth the whole truth and nothing but the truth, deposes and says: My name is Lizzie Tuttle, my age about fifty two years ~~xxxxxxx~~, my residence about four miles north of the town of Wynnewood, Ind. Ter. I was born and raised in the Indian Territory. am a ~~Chickasaw~~ ~~Freedman~~ a Chickasaw Freedwoman of African decent. was held as a slave in the Chickasaw Nation by Jlsa Harris. a Chickasaw ~~xxxxxxx~~ Indian by blood. at the time of the Treaty of Fort Smith. The said Jlsa Harris was the wife of Daniel Harris. I know Ebenezer Kemp. he married my daughter Alice and they have two children whose names and ages are as follows: Fred D. Kemp. age five years and Laura Kemp age three years.

Attest:
Alfred H. H. H. H.
Subscribed and sworn to before me this the 29th day of August 1896.

Southern District

Alfred H. H. H. H.
Notary Public in and for the
Southern District of the
Indian Territory.

Inc. in Southern
Southern District

I, Frank L. Robinson do solemnly swear
that on the 7 day of September, 1896, at the Post Office of Wynnewood
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
SHERMAN HANCOCK, Governor of the Choctaw Nation at Tuskahoma, Indian
Territory. I examined said letter before it was mailed and found it to
be a correct copy of the application, to the Dawes Commission, for Citi-
zenship of Stephen Kemp, Alice Kemp
and Sam Kemp and Laura Kemp

Subscribed and sworn to before me at Alice Kemp
Stephen Kemp Lizzy Tuttle

REGISTERED RECEIPT

Post Office at Wynnewood 1896

Registered Letter No. 133 Rec'd Sept 8

of Cyrus G. Kean

addressed to One letter
to J. Jefferson Chapman
Tuskahoma, Okla.

W. C. Lee P. M.

Receipt No. 133 was given for
said letter.

Frank L. Robinson
is the 7 day of September, 1896
W. C. Lee
Public, Southern District, I.T.

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear
that on the 8 day of September, 1896, at the Post Office of Wymore
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-
tioned in the _____ attached, mail a registered letter to
Choctaw Nation at Tuskomma, Indian
before it was mailed and found it to
be, to the Dawes Commission, for Citi-
zenship, Alice Kean
and Samuel Kean
Alice Kean
Wymore, Indian Territory
_____ receipt No 55 was given
for said letter.

in
her

Frank L. Robinson

Subscribed and sworn to before me this the 8 day of September, 1896

W. H. Decker

Notary Public, Southern District, I.T.

Southern District

Together with the affidavits of William Kemp
William Kemp George Foster.

Receipt No. 22 ONE SIX EIGHT XXXX
I. S. I. G. Letter.
Leahy & Robinson
is the 1st day of September, 1896
J. H. Robinson
Public, Southern District, I.T.

REGISTRY RECEIPT.

Post Office at W

Registered Letter Parcel No. 133 Rec'd Sept 8 1896

of Cyrus G. Reahr

One letter

addressed to Geo Jefferson Gardner
Gustakoma, P.M.
H.C. Lee P. M.

NO.

CLAIM OF

~~By George C. Hayward.~~

ANSWER.

*Filed Dec 9, 1896.
J. H. Hayward
L. C.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Charles Lee Kemp

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The Choctaw Nation
By *Stuart Gordon Harley*
Its Attorneys.

End

Choc FR 6

Sorenzo Lewis
~~Chickasaw~~ Chickasaw Tribe of Indians
To the Hon. Dawes Commission
Vinita, Ind. Terry.

Lucey Brown, after being first
duly sworn, deposes and says
that she is 45 years of age
and resides in Stonewall
Chickasaw Nation Ind. Terry.
and that she knows Sorenzo
Lewis to have been held a
slave by Solomon Holietobbe
a full blood ^{Chickasaw} Indian; he was
her father; Sorenzo Lewis
never was sold out of the
Indian Territory.

Lucey Brown
Mark

Sworn to and Subscribed before me
this the 26 Day of Aug 1896

J. C. Chapman
Notary Public

In and for the third Judicial Division
of the Indian Territory

Lorenzo Lewis,
^{Chickasaw} Chickasaw, Tribe of Indians
To the Hon. Dawes Commission
Vinita Ind. Terr.
Selima Colbert after being
first duly sworn, deposes
and says that she is ~~46~~³⁷
years of age and resides in
Stonewall Chickasaw Nation
Indian Territory. and that
she knows Lorenzo Lewis to
have been held a slave by
Solomon Holitobber (her father)
^{A full blood Indian} Lorenzo Lewis is of African
descent and resides in Stonewall
Chickasaw Nation Indian
Territory. The said Lorenzo
never was sold out of the
Nation

Selima ^{for} Colbert
Sworn to and Subscribed before me
This the 26th Day of Aug 1896

J. C. Chapman
Notary Public

In and for the Third Judicial Division
of the Indian Territory

No 124
L. J. J. J.
Lucy J. J. J.
Aug 14

Choctaw Nations

Filed Sept 7-1896
C. S. McKinnon
Arms

Aug 14

Stonewall, Ind. Terry.

August 25th 1896

To the Hon Daws Commission
for the five Civilized Tribes,
I respectfully represent, that
my name is Lorenzo Lewis,
and my age 57 years, I have
been shifted from hand, to
hand, but I always fell in
the hands of an Indian; my
last owner was Solomon
Nolietobbee, he was a full blood
Indian and lived in the
Choctaw ^{Native} I lived with him
all the time untill the war.
I further represent that I
send this my application
asking your Honorable
Commission to place my name
on the ~~Choctaw~~ ^{Choctaw} roll for
Citizenship in the Indian Territory.
I further represent that I send
this application according
to the Treaty of April 28th 1866,
asking you to pass upon my case
and allow me the rights promised
me in the Treaty. Lorenzo ^{his} Lewis

Sworn to and Subscribed before me
this 26th Day of Aug 1896

J. C. Chapman
Notary Public

In and for the Third Judicial Division
of the Indian Territory

No.

—CLAIM OF—

George Lewis

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

W. W. Fairway
Deputy

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Lorenzo Lewis.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence does not show that the applicant, who~~
~~claims to be a citizen of the Choctaw Nation by virtue of having~~
~~once been a Choctaw slave, was in the Indian Territory at the time~~
~~of the Treaty of 1866, or that he was ever enrolled as a Choctaw~~
~~freedman.~~

Lorenzo Lewis.

The Choctaw Nation
By *Shirley Gordon & Family*
Its Attorneys.

End

Choc FR ?

Application of
Hannah Smith
Josie Smith
Daniel Smith
Malissie Smith
Ollie Smith
Mary Smith
Isaac Smith
Ephie Smith
John Smith
for enrollment as
Citizens of the
Choctaw Nation

FILED SEP. 9 1890.

A. S. MCKENNON

COM'R

Friedman

C. H. Kear Atty
for Applicants.

APPLICATION FOR CITIZENSHIP

To the Hon. Henry L. Daws, Frank C. Armstrong, Arcabald S. McManis, Thomas L. Cabaniss, and Alexander B. Montgomery, United States Commissioners to the Five Civilized Tribes:-

The undersigned applicant, Hannah Smith, for and on behalf of herself and children, make this application to you for the purpose of being placed on the roll of ~~Chickasaw~~ Choctaw Freedmen.

Applicant states that she is about thirty six years of age and resides near the town of Wynnewood, Ind. Ter.; that she is a Choctaw Freedwoman of African decent, was born in the Chickasaw Nation, Indian Territory and was held as a slave by Jackson Kemp, a Choctaw Indian by blood, in the Chickasaw Nation until she was set free; that she is a daughter of John Kemp and Frances Kemp, who were both Choctaw Freedmen and were held as slaves in the Chickasaw Nation by the said Jackson Kemp at the time of the treaty of Fort Smith when the Choctaw Slaves were set free.

Applicant further states that she resided in the Chickasaw Nation and was held as a slave by the said Jackson Kemp at the time of the said treaty of Fort Smith and that she continued to reside in said nation from that date to the present time; and that she is the mother of eight children, that are now living and compose a part of her family, whose names and ages are as follows:

Jessie Smith, age 16 years.
Daniel Smith, age 14 years.
Harris Smith, age 13 years.
Ollie Smith, age 11 years.
Ray Smith, age 9 years.
Isiah Smith, age 6 years.
Lyle Smith, age 3 years.
John Smith, age 4 months.

Wherefore applicant prays that herself and her said children be placed on the roll as Choctaw Citizens or Choctaw Freedmen.

Respectfully submitted,

Attest:

Indian Territory
Southern District.

On this the 25th day of August, 1896, personally appeared before me, A. H. Proctor, a Notary Public in and for the Southern District of the Indian Territory, Hannah Smith, who being by me duly sworn upon her oath, states that the facts set forth in the above application are correct and true. Subscribed and sworn to before me this 25th day of August, 1896.

Subscribed

A. H. Proctor

AFFIDAVIT OF JOHN KEMP

Indian Territory
Southern District.

Before me the undersigned authority on this the 1st day of August 1896 personally appeared John Kemp, who after being duly sworn to tell the truth, the whole truth and nothing but the truth, deposed and says: My name is John Kemp my age about eighty eight years, my residence about one mile north of the town of Wynnewood, Ind. Ter.. I am a Choctaw Freedman and was held as a slave by Jackson Kemp, a Choctaw Indian by blood, at the time of the treaty of Fort Smith. I know Hannah Smith, she is my daughter, she is about thirty six years of age and was held as a slave ~~by the said Jackson~~ in the Chickasaw Nation, Ind. Ter., by the said Jackson at the time of the said treaty of Fort Smith. Her mother's name was Francis Kemp, who was also held as a slave at the time of said treaty by the said Jackson Kemp. The said Hannah Smith has eight children that are now living with her in the Chickasaw Nation, Ind. Ter., near the town of Wynnewood, whose names are as follows: Jessie Smith, Daniel Smith, Talissie Smith, Ollie Smith, Mary Smith, Leah Smith, Phil Smith and John Smith.

Subscribed and sworn to before me this the 1st day of August 1896.

[Signature]
Notary Public in and for the
Southern District of the
Indian Territory.

[Handwritten signature]

Indian Territory
Southern District

I, K. F. Robinson do solemnly swear, on this 8th day of September, 1896, at the Post Office of Wynne, Indian Territory, I saw Cyrus G. Yean, Attorney for the applicants mentioned in the application hereto attached, mail a registered letter to Jefferson Gardner, Governor of the Choctaw Nation, at Muskohoma Indian Territory. I examined said letter before it was mailed and found it to be a correct copy of the application, to the Dawes Commission, for Citizenship of Harrah Smith, Levi Smith, Daniel Smith, Malissie Smith, Ollie Smith, May Smith, Isaac Smith, Ephie Smith and John Smith together with the affidavits of John Kemp

In support
of was

Subst

Due

REGISTRY RECEIPT.	
Post Office at	<u>Wynne</u>
Registered Letter Parcel	No. <u>132</u> Rec'd. <u>Sept 8</u> 1896
of	<u>Cyrus G. Yean</u>
addressed to	<u>One letter</u> <u>Gov. Jefferson Gardner</u> <u>Muskohoma I. T.</u>
	<u>H. C. Lee</u> P. M.

list No hereto attach-

K. F. Robinson

8 day of September, 1896.

J. S. McKinn

Southern District, I. T.

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear, on this 8th day of September, 1896, at the Post Office of Myrtlewood Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-

tioned in the _____, mail a registered letter to _____ station, at Muskohome Indian _____ was mailed and found it to

be a _____ Dawes Commission, for Citi-

Wm. Smith David
Wm. Smith
Ephraim Smith and
Kemp

Indian Territory, I saw Cyrus G. Keam, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Newberry, Governor of the Choctaw Nation, at Muskogee Indian
Territory. I examined said letter before it was mailed and found it to
be a correct copy of the application, to the Deeds Commission, for Citi-
zenship of Harold Smith, Levi Smith, Dan-
iel Smith, William Smith, Willie Smith
Wm Smith, Jack Smith, Ephraim Smith and
John Smith with the affidavits of John Smith

to sup-
ed was

Graded

Qua

REGISTRY RECEIPT.

Post Office at Wyn
Registered Letter No 32 Rec'd Sep 8 1896
Parcel of One letter
addressed to Gov Jefferson Gayden
Oklahoma T. T.
H. C. Lee P. M.

File No hereto attach-

H. C. Lee

1 day of September, 1896.
H. C. Lee
Southern District, I. T.

End

Chc FR 8

Original
Lila Blue
Petition

United States of America Indian
Territory, Chickasaw Nation
To the Hon Commission to the
five Civilized Tribes

Your petitioner Lela
Pleas would most respect-
fully show to your honorable
body-

That she is the daughter
of Louisa Brooks ^{a chief and good mother} who
belonged to Turner Brooks
that said Turner Brooks
was a Choctaw Indian by
blood that the officials said
mother Louisa Brooks
belonged to the said Turner
Brooks from her birth
until the emancipation
of slaves,

Wherefore for the reasons
above given petitioner prays
that she be enrolled as the
daughter of a freedman and
she will ever pray

Lela Brooks
Sworn to and subscribed
before me this 14th day of
August 1896 J. M. A. M. H. H. H.
Notary Public

#3480
Lila Blue
^{ms}
Choctaw

FILED S. 9

A. S. L. LENOIR

COM'R

Ada
L. S.

In the month of Jan. 1896 I
Lila Blum to be enrolled as a
daughter of a Choctaw &c.

Aaron Newbury and ~~John~~
Gordon Clark being duly sworn
in relation to said Oliver Jay
we are, ^{being} acquainted
with Lila Blum and know
that she is the daughter of
Louisa Blum and that ^{the}
the said Louisa ~~Blum~~ ^{Blum}
belonged in time of the war
to Turner Brothers and that
the said ~~Turner~~ Brothers were
a Choctaw Indian and that
Louisa ~~Blum~~ ^{Blum} was born
at the date of the Treaty, at
Smith

his
Aaron Newbury
Gordon Clark
sworn

Sworn to and seen
before me this 26th day,
August 1896

J. M. A. Smith
Notary Public

NO.

CLAIM OF

ANSWER.

Filed Feb. 4, 1891.
Attest
Secy.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Bill R. ...

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The Choctaw Nation
By *Stuart, Gordon & Bailey*
Its Attorneys.

End

Choc FR 9

~

—
—
—

7724

Wm. Hamilton

blue

Free

FILED SEPT 10 1874

A. S. McKENNON

— 100 —

Shelton ~~Hamilton~~
Negro

D. Williams
W. Williams

Original

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes
in the Indian Territory:

Your petitioner, Nancy Hamilton, undersigned, respectfully
states that ~~She is~~ ^{Chickasaw} ~~freedwoman of~~ ^{Chickasaw} Indian by blood, and asks to be enrolled as a member of the
~~Chickasaw~~ ^{Chickasaw} Nation of Indians in the Indian Territory. That ~~she~~ ^{she} ~~was a slave~~ ^{was a slave}
~~owned by Col. R. M. Jones who was a Choctaw Indian and who was a~~ ^{owned by Col. R. M. Jones who was a Choctaw Indian and who was a}
~~recognized member of that tribe and resided in the Indian Territory~~ ^{recognized member of that tribe and resided in the Indian Territory}
~~in the Choctaw Nation, that said Nancy Hamilton was set free~~ ^{in the Choctaw Nation, that said Nancy Hamilton was set free}
~~by proclamation and treaties with the Choctaw Nation~~ ^{by proclamation and treaties with the Choctaw Nation}
~~and this applicant after being freed came to the Chickasaw~~ ^{and this applicant after being freed came to the Chickasaw}
~~Nation where she has since resided. Said applicant was~~ ^{Nation where she has since resided. Said applicant was}
~~born in Alabama and came from there with the Choctaw Indians~~ ^{born in Alabama and came from there with the Choctaw Indians}
~~to the Choctaw Nation Indian Territory~~ ^{to the Choctaw Nation Indian Territory}

Your petitioner states the above facts as the lawful grounds of ^{her} application for citizenship in the
~~Chickasaw~~ ^{Chickasaw} Nation, and prays that her claim may be fully investigated by your
Honorable Commission and that ~~she~~ ^{she} be adjudged to be a citizen of said ~~Chickasaw~~ ^{Chickasaw} Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with
the laws and treaties with said Nation of Indians.

My age is ~~30~~ ³⁰ years. My Post Office address is Princeton Ind. Ter.
My family consists of the following named persons: My ~~self~~ ^{self} and children, as follows:

Mary Clark (Daughter) aged 28 years.
aged years.
aged years.
aged years.
aged years.
aged years.
aged years.
aged years.
aged years.
aged years.

WITNESS my hand this 14th day of August, 1896.
Alfred L. Williams Nancy X Hamilton
man

Indian Territory
Southern District

Personally appeared before me, the undersigned authority, Nancy Hamilton
to me known to be the petitioner in the above petition, who being by me first duly sworn, upon ^{her} oath
says that ~~she~~ ^{she} is the petitioner in the above petition, that ~~she~~ ^{she} has read (or heard read) the said petition,
and that the facts stated therein are true, as ~~she~~ ^{she} verily believes.

Alfred L. Williams Nancy X Hamilton
man
Subscribed and sworn to before me at Princeton Ind. Ter.
this 14 day of August, A.D. 1896. ^{that a duplicate of these}
papers were sent to the Choctaw Nation
Commissioner David Williams
Notary Public
Nov 19 1898

Indian Territory } SS
Southern District }

Be it remembered that on this
4th day of August 1896, personally appeared before
me John Kemp, a resident of the Chickasaw
Nation Ind Ter, who is a reliable and creditable resident
of Pontotoc County Chickasaw Nation Ind Ter, and who
after being duly sworn according to law deposes and
says: - That he is a resident of the Chickasaw Nation
Ind Ter, that his age is about 88 years, a farmer,
that his post office is Wynnewood, Ind Ter, that he
is personally and well acquainted with Nancy
Hamilton, who is the mother of Mary Clark, that
he has known said Nancy Hamilton ever
since the birth of her daughter Mary Clark
whose maiden name was Mary Hamilton
That said Nancy Hamilton was held as a
slave by Col R. M. Jones who was a Choctaw
Indian by blood. That said Nancy Hamilton
was freed by proclamation and treaties with
the Indians. That from his personal acquaintance
and knowledge of facts he knows said Mary
Clark to be the daughter of said Nancy
Hamilton.

(Attest) D. Williams

John ^{his} X Kemp
man

Sworn to and subscribed before
me this 4th day of August 1896

Commission

David Williams

Expire August 1, 1898

Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

Stringtown, Choctaw Nation, I. T.
Jackforks County
Commissioners Court of Freedmen
Regulation.

This is to certify that Nancy Hamilton, a
~~freed~~ slave of Col R M. Jones, with her
daughters, Mary Clark, and Mary's infant
son Fred Douglass Clark were this the 30th
day of July 1885, adopted as citizens of the
Choctaw Nation as per stipulation of the
Treaty of Sept 13, 1865

Attest:

Israel Folsom

Registering Secretary

} signed E. W. Thompson
} Chief Commissioner, presiding.

You all as adopted citizens of the Choctaw Nation
has all the rights, privileges and immunities, as long
as the Choctaw Nation stands in common, but should
the country be sectionized you will be entitled to 40
acres only. All those who married our
freedwomen are subject to permits.

I David Williams a Notary Public within
and for the Southern District of the Indian Territory,
do hereby certify that the above is a true and exact copy
of a paper exhibited to me, by Nancy Hamilton at
my office in Wynnewood I. T. this 4th day of August
1896

David Williams
Notary Public

NO.

—CLAIM OF—

.....Nancy Hamilton.....

For Choctaw Citizenship.

ANSWER.

*Filed Oct. 7 1896.
J. M. Pearson
Clerk.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Nancy Hamilton.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

Service was not had until the 10th of September, 1896.

The Choctaw Nation
By Stuart Gordon & Haily
Its Attorneys.

Indian Territory } S.S.
Southern District } I E. G. Williams
do solemnly swear that on the 7th day of
~~August~~ September 1896, I saw a package registered at
the post office at Wynnewood, Ind Ter,
addressed to the Governor of the Choctaw
Nation, at Tuskahoma Ind Ter
that registry receipt No 108 hereto
attached, is a receipt for said package
which contained true copies of the
Application of Nancy Hamilton and
of the affidavits of John Kemp and
copy of certificate of G. W. Thompson, Chief
Commissioner, presiding, in support
of same.

E. G. Williams

Subscribed and sworn to
before me this 8th day Sept. 1896
David Williams
Notary Public

End

doc FR 10

South McAlester, I. T. Sept. 6th 1896
Received of J. P. Mullen papers purporting to be copies of
petition of Martha E. Arnold Et Al for Citizenship in the Choctaw
Nation and affidavit its of John H. Arnold, and H. H. Okelley in support
of said claim.

Stuart Gordon Huley
Attys for Choctaw Nation.

POOR ORIGINAL -
BEST AVAILABLE COPY

No.

APPLICATION OF

Dr. E. C. Clark Et. Al.,

—FOR—

Enrollment in *Sevier* Nation

Filed on the ... day of ... 189...

Sec. U. S. Com. Five Civ. Tribes

Attorney for Petitioner.

CAPITAL PRINT, South McAlester.

Wm. H. ...
Notary Public.

APPLICATION FOR ENROLLMENT

Before the United States Commission to the Five Civilized Tribes of Indians:

Martha E. Arnold

Et. Al.

PETITIONER,

Choctaw

VS.

Nation, Indian Territory,

RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner states that

was a Indian by blood, was duly recognized by the proper authorities as such in and enjoyed all the rights, privileges, benefits and immunities of other Indians by blood in the said Nation or Tribe of Indians, and that the name of the said appears or should appear upon the authenticated rolls of the said Indians for the year

That the petition is a lineal descendant of the said to-wit

That petitioner Martha E. Arnold is an admixture of white and Choctaw Indian blood and is at least 1/4 Choctaw Indian blood that she is 36 years of age that she resides at Fox, Chickasaw Nation, I. T. that she derives her Choctaw Indian blood from her father the late Nicholas Nail who was an admixture of white and Choctaw Indian by blood and who was a half Choctaw and one half white. That he derived his Choctaw Indian blood from his mother Nails who was a full blood Choctaw Indian woman. That said Nicholas Nail was born in Miss in the Old Choctaw Nation about 1826 and that he died in Texas in 1880. That said Nicholas Nail intermarried with Sallia J. Sandford and by such marriage petitioner was born. That petitioner intermarried with John H. Arnold and by such marriage the following named children were born and are now living. The said Nicholas Nail was a recognized citizen of the Old Choctaw Nation and a member of the Choctaw Indian tribe.

That under the constitution,

laws, usages and customs of the said Choctaw Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Choctaw Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities of other Choctaw Indians by blood.

That there are now living legal descendants of your said petitioner persons, as follows, to-wit:

Frank Arnold	a	son	and	11	years of age
Harry	a	"	and	9	years of age
Oleotis	a	daughter	and	7	years of age
Jack	a	son	and	5	years of age
Rat	a	"	and	1	years of age
	a		and		years of age
	a		and		years of age
	a		and		years of age
	a		and		years of age
	a		and		years of age
	a		and		years of age
	a		and		years of age

Wherefore, the premises considered, your petitioner prays that name, with those of

said descendants to-wit: *James C. Campbell*
and *John E. Campbell* be enrolled and admitted to all the rights, benefits, privileges and immunities of other *Cherokee* Indians, in and to the *Cherokee* Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence namely:

and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner will ever pray, etc.

J. W. Arnold
Attorneys for petitioners.

The aforementioned petitioner, *James C. Campbell* says that the statements set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Subscribed and sworn to before me, this *3* day of *Sept* 189*6*.
H. H. Waring
Notary Public.

No.	APPLICATION OF		El. Al.	
	FOR			
Enrollment in		Nation		
Filed on the	day of	189		
Sec. U. S. Com Five Civ. Tribes				
Attorney for Petitioner.				
CAPITAL PRINT, South McAlester.				

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Martha E. Arnold
for admission to citizenship in the Choctaw Nation.

State of _____ }
County of _____ } ss

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Martha E. Arnold who, after being by me duly sworn, states:
That she is 50 years of age, and a resident of the State of _____ and County of _____ and her post office address is _____
that she is personally acquainted with _____ who is an applicant for
Choctaw
Citizenship in the _____ Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That he is a white man that he is 50 years of age that he is the husband of the said Martha A. Arnold.

Affiant further says that the said Martha E. Arnold is an admixture of white and Choctaw Indian blood and is at least 1/4 Choctaw Indian blood that she derives her Choctaw Indian blood from her father the late Nicholas Nail, the said Nicholas Nail was born in the Old Choctaw Nation, now Miss., and was born about 1828, that he immigrated to the ~~Choctaw Nation~~ State of Texas, about 18... and died in Texas in 1860 That the said Nicholas Nail intermarried with Sallie J. Stanford and by such marriage Martha E. Arnold nee Nail was born, that she That she the said Martha A. intermarried with John H. Arnold and that by such marriage Frank, Harry, Cleetis, Jack and Rat Arnold whose age are respectively 11, 9, 7 5 and 2 That said children are admixtures of white and Choctaw Indian blood and are at least 1/8 Choctaw blood.

That the said Martha E. Arnold came to the Choctaw Nation about 15 years ago for the purpose of establishing her rights for Choctaw citizenship she has been seeking to establish here rights to citizenship ever since and has been residing in the Choctaw and Chickasaw Nation for the past 14 years and that she is now residing in the Chickasaw Nation and her post office address is Fox, I. T.

Affiant further says that he has been taught that the said Nicholas Nail, was a half breed Choctaw Indian and that he derived his Choctaw blood from the Nail Choctaw Indian family.

Affiant further says that he makes this affidavit in support of the claim of his wife and the matters and things set forth in this affidavit he believes to be true. That the said Martha E. Arnold is now residing at Affiant home near Fox, Pickens County, Chickasaw Nation and about 175 miles from South McAlester, I. T. and that he makes application for her to be enrolled as a Choctaw Indian, as her agent, as the time is so short for her to make the formal application and to get service upon the Governor of the Choctaw Nation that he makes the application in behalf of the said of said Martha E. Arnold as her agent.

Affiant further states: That she has known the said _____ for the past _____ years, and knows that _____ has been and is recognized by her neighbors, acquaintances and the public generally as having _____ Indian blood, and that the complexion and physical appearance of the said Martha E. Arnold indicate that she is of _____ Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said _____ he believes the said Martha E. _____ to be a descendant by blood of the _____ Indian tribe, and a lineal descendant of the said _____

Subscribed and sworn to before me this _____ day of _____ 1896
My Commission expires _____
Notary Public.

GENERAL AFFIDAVIT.

UNITED STATES OF AMERICA,
CENTRAL DISTRICT, INDIAN TERRITORY.

Personally appeared before me the undersigned a Notary Public in and for the above named District, Allen Moore, who after being duly sworn say that he will truly interpret the statements made by Ola Seechabee, from the Indian language into the English language and that the said Ola Seechabee also appeared before me the said Notary Public in and for the said District and who after being duly sworn deposes and says that my name is Ola Seechabee, that I live in Tobucksey County, Choctaw Nation, I. T. that my post office address is Kiawa, I. T. that I was born in east Miss. 1820 and I lived there until about 1883 at which time I came west with the Choctaw band of Indians, and I have resided in the Choctaw Nation continuously ever since and that I am a senator of the Choctaw Council and that I am a full blood Choctaw Indian.

Affiant further says that he is not personally acquainted with Mrs Martha E. Arnold but from what he has learned of her history and genealogy he believes that she is a descendant of the Nail Choctaw Indian family, that affiant was acquainted with Ben Nail a half blood Choctaw Indian man who lived at or near Red Oak, I. T. also Joe and Willie Nail who resided in Tobucksey Co. Choctaw Nation, also known as Morvis Nail who was also a resident of the Choctaw Nation, that when he came west some of the Nail family came out with him and some of the Nail family were left back in Miss. that some of the Nail family that immigrated west were admixtures of white and Choctaw Indian blood and were at least 1/2 Choctaw Indian blood that he thinks that the Nails got their Indian blood on their mother's side. There are only two Nails living as far as he knows and they are Ben and John Nail who are Choctaw Indian citizens and members of the Choctaw Indian tribe and reside in Tobucksey County, Choctaw Nation, I. T.

(Allen Moore Interpreter)

Ola Seechabee

1896

Subscribed and sworn to before me this the 3 day of Sept. 1896

H. H. Coffey
Notary Public

GENERAL AFFIDAVIT.

United States of America,
Central District, Indian Territory,

Personally appeared before me the undersigned a Notary Public in and for the above named District, H. H. Okelley who after being duly sworn states; that he is 36 years of age that he resides in Picken Co. Chickasaw Nation, I. T. that his post office address is Heald-ton I. T.

Affiant further says that he is personally acquainted with Mrs Martha E. Arnold who is an applicant for enrollment as a Choctaw Indian by blood before the Hon. Dawes Commission, he has known her personally for the past 12 years, and that from her physical appearance and complexion she seems to be at least 1/4 Choctaw blood and an admixture of white and Choctaw blood, and that she was recognized among her neighbors and the public generally as a Choctaw Indian blood I have heard her mother Sallie J. Nail frequently say that the said Martha E. Arnold was of Choctaw Indian blood deriving the same from her father Nicholas Nail, and that the said Martha E. Arnold was the daughter of the late Nicholas Nail and herself.

Affiant further says that he is not interested in the result of the said Martha E. Arnold and that he is not related to her either by blood or marriage.

Subscribed and sworn to before me this the 3 day of Sept. 1898

H. H. Okelley
Notary Public.

No 1432

IN THE MATTER OF

Michael C. O'Connell
Choctaw Nation

Petition and Memorial

FOR

CITIZENSHIP

In the *Choctaw* Nation, I. T.

Filed 7 Sept. 1896
H. M. Jackson
Clerk

Dr. M. Allen

Just. Secy.

Stuart Gordon & Hailey.

*Chas. W. Stuart
J. H. Gordon
H. C. Hailey.*

Attorneys at Law.

South West Corner, Ind. Ter.

The State of Indiana,

County of Adams,

I, the undersigned, Clerk of the said County, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of the said County.

Witness my hand and the seal of the said County at the City of Indianapolis, this 1st day of May, 1886.

John W. Hailey,
Clerk of the County of Adams, Ind. Ter.

Stuart Gordon & Hailey

No.

—CLAIM OF—

Martha Arnold Etal

FOR CHOCTAW CITIZENSHIP.

ANSWER.

FILED SEPT 21 1896. ☆

→A. S. T. NON←

→COM R. ←

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

Martha Arnold et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says.

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

That it is not true that the applicants are Choctaw Indians

That claimants have applied for citizenship to the Choctaw Tribunal & that their claim is still pending there.

That it is not true that claimant Martha Arnold was married to James Arnold, but defendant alleges the fact to be that said Martha Arnold was a negro slave; That the children for whom she claims citizenship were an the fruits of illicit connexion between herself & said James Arnold, a white man & that none of said children were born in lawful wedlock.

That there is no proof of marriage between said Martha Arnold and said James Arnold filed herein and no proof that applicants are 1/8 Choctaw Indians by blood

The Choctaw Nation

By Stuart Gordon & Wiley

Its Attorneys.

State of Arkansas
County of Bryan

Thaddeus Bled A'ries I
am a citizen of Bryan County and
and have resided here for about
fifty years. Between 1874 & 1879 I
was acquainted with James Woot,
and Frank Arnold, and knew of
their daughter Martha E Arnold
and her younger children
they lived on Sugar Creek in the South
Part of this County. I afterwards
met this Frank Arnold at South
31st Street about the year 1891- or 1892
they came from the State of Georgia
to this County so they claimed, this
Frank and James Arnold brought
them all out here and bought land
in this Co. his and this statements
as currently reported in the neighborhood
from the time of their arrival to James
Arnold's death was. That Martha E
Arnold was a Negro woman and
a former slave of James Arnold
that he was a widower and had a
family of white children in the
State of Ga. that the children of Martha
E Arnold were the ^{legitimate} offspring of illicit
intercourse between James Arnold
and Martha E Arnold that they
were all illegitimate children, that
James Arnold had cohabited with

1 Martha E Arnold just before she was
2 her death and afterwards ~~as well~~
3 she was a free woman. In fact
4 of this General statement that race
5 and relationships were never disputed
6 we denied that ever I heard till
7 after Joe Arnold's death and shortly
8 before ~~and~~ Martha E Arnold and
9 Frank West, James Park & all
10 moved to the Indian Country
11 their names as West or Park I forget
12 which but think it was West made
13 the statement to me or in my presence
14 that they were going to the Indian
15 Country, and pass themselves as
16 Indians, that there was some
17 Indian blood in them.
18 James Arnold died in this Co
19 I was Co & Probate Judge of the
20 Co at the time, Frank ^{Arnold} West and
21 others of Guardianship on his
22 minor Brothers & Sisters as I remember
23 Joe Arnold divided the funds in
24 Logan Co Ark as I remember to their
25 children of Martha E Arnold and
26 made a Bill of Sale or will I
27 forget which but think a will in the
28 State of Ga. to their children of
29 the Colored woman for some
30 ~~to~~ Rail Road Stock & Bonds in
31 a RR in Ga. The White Children
32 of Arnold filed some sort of

a suit in Ga and obtained ^{judgment} ~~judgment~~
injunction against Sam Bank
man that had charge of the Ry stocks
ensuring them from paying his debt
to the Colored Arnolds.

Friend of this suit two of the
White Arnolds came out to us
to arrange a compromise with the
Colored Arnolds. I knew that
as I was a practicing attorney of
the Legation Bar. that two White
Arnolds together with Frank and
Wesley Arnold and I think James
Arnold came to me to draw up
an agreement of compromise
they had made, from their commission
~~I learned~~ in the presence of each
other and to me in the presence of
each other, I learned that the White
Arnolds had proposed to institute
suit in Legation Co. for the
funds & property here divided to the
Colored Arnolds as well as the
suit in Ga for the Ry Stocks amounting
as they said to something over \$20000
The agreement they made was in substance
that the Negroes keep the funds &
property in Legation Co. ask the White
Arnolds to have some share of the
dividends & stocks in Ga. and the suit
in Ga take its course as to the
remains of the Ry Stocks & dividends

I kept in secret of the proceedings and their facts from Summary while together arranging this compromise. The white aviators made a statement of their relationship between them and the colored family in the presence of Frank West and I think James Arnold which was in substance that their father Jas Arnold was a Planter & Slaveowner in La prior to the Civil War when he married a white woman who was the mother of a family of white children by Jas Arnold, that Martha E Arnold was a Negro woman and slave of Jas Arnold, that Jas Arnold cohabited with her and her children including Frank West, James, Rich and the younger children of Martha E Arnold were all illegitimate children of Jas Arnold, that Martha E Arnold was emancipated by President Lincoln's Emancipation proclamation, that after the Civil War Jas Arnold and Martha E Arnold and their children moved to Sevier Co Ark, where Jas Arnold died. That prior to the death of Jas Arnold & prior to his removal to Ark he had given each of his white children some amount of property and had made a will, or Bill of Sale in which he conveyed the 1/4 Stock in La to the colored Arnolds. all these statements and communications

I am not aware of any agreement for any of the parties to be bound by the agreement made at this time.

There had never been any marriage between them?

Were assented to and not disputed by either Frank West or Jones and many of the facts were voluntarily stated by Frank and West Arnold. but I cannot remember just which fact was stated by the White Arnolds and which by the Colored Arnolds. We were all together in a small room and were in that engaged in this compromise affair from about 8 P.M. till more or less 2 A.M. The White Arnolds left for La Haye tomorrow with a duplicate copy of the agreement I had drawn up. duly signed by the Colored Arnolds afterwards I learned from Frank or West Arnold that the White Arnolds had more the whole of the 100 stock and shares in the said La Haye. While Frank Arnold was in this Co. he was shot and had his leg amputated. Martha E. Arnold was always regarded as a negro and her children as mulattoes by the people here, the Commissioner and Statisticians by and between the White and Colored Arnolds occurred ^{at this} in Logan Co. Arkansas when in 1876-7-8. I do not remember the exact date. Personally I do not remember to have seen the woman Martha E. Arnold ^{any of} her daughters nor the children younger than Paul & John ^{Theresa & John}

Subscribed and sworn to before me this September 18th 1896. J. J. Conway, Notary Public. Commission Expires Dec. 24 1898

In the Logan Probate Court
January term AD 1878
Elizabeth M. C. Arnold
vs) Petition to remove disabilities
Ex parte

To the Honorable J. F. Potts
Judge of the Logan Probate Court -

Your Petitioner
the undersigned would respectfully
represent - and show unto your honor
that - she is a minor of seventeen years
of age, that - she has a moderate education
for a girl raised in the country, that -
she in right of her father James Arnold
deceased owns one sixth part - of all
the personal property as said Arnold
place, that - she by a deed of convey-
ance made by her father some three
years before his death owns one sixth
part of six hundred acres of land
that partition of said real Estate has
been made by order of your honor Court -
and that her Guardian F. J. Arnold
now has had effects in his hands ~~and~~
is anxious to turn the same over to her
real and personal upon the removal of her
disabilities of minority, the premises
considered your Petitioner would
earnestly pray your honor to make and
cause to be entered up an order
removing her disabilities and declaring her
age with authority to transact business

generally, with the same force and effect and as binding upon her as if of full age, and especially to take charge of her property both real and personal and have the management and control of the same, to all intents and purpose as if of full age, and in duty bound will ever pray &c

Elizabeth M. C. Arnold.
By F. J. Arnold Guardian
By A. D. King atty

State of Arkansas }
County of Logan }

F. J. Arnold says that the matters and things contained and charged in the above and foregoing Petition are true.

F. J. Arnold
sworn to and subscribed before me
this January 25th 1878

C. V. B. Hanley Clerk

Endorsing on back

Elizabeth M. C. Arnold
vs } Pet. to remove disability
Ex parte

66

Filed in open Ct
Jan'y 23 1878

C. V. B. Hanley Clerk

State of Arkansas
County of Logan

I, A. T. Barlow, clerk of the county court and official clerk of the Probate Court, do hereby certify that the foregoing is a true and correct copy of the petition of Elizabeth M. C. Arnold asking the court to remove her disability.

In witness whereof my hand and official seal this September 8th 1896

A. T. Barlow
Clerk

And now on this day comes Samuel Knox &
J A Young two of the commissioners appointed
at the July term of this Court to appraise and
partition the real and personal estate belonging
to the minors heirs of James Arnold decd and
filed their report of said partition or divi-
sions which report is in words and figures
as follows "To wit"

~~State of Arkansas~~
~~County of Logan~~ }

Of the Honorable probate Court
of said County when sitting for ordinary pur-
poses at the regular July 1877 term to us direc-
ted authorizing and requiring us to make dis-
tribution of the property of heirs James Arnold
dec'd of the late James Arnold dec'd among the
distribution of said estate we proceeded on the
the 27th day of August 1877 and proceeded
from day to day to the performance of that
duty we ascertained there were six distribu-
tions to wit- there being no widow who is en-
titled to dower Frank J Arnold son of said
James Arnold dec'd and Woodson H Arnold
son of said James Arnold dec'd both of full
age and Frank J Arnold Guardian of
James A Arnold and Elizabeth M C Arnold
and James C Arnold and Park C Arnold
minor children of said James Arnold dec'd
their shares were numbered 1. 2. 3. 4. 5. 6 and
were assigned to the distribution -

over,

in the following manner: "to wit" the names
 of the distributees were written on a piece of
 paper and placed in a hat the numbers
 were written on other piece of paper and put
 in another hat the hats were both well shaken
 a name was then drawn from the hat con-
 taining the name then a number was
 drawn from the hat containing the number
 the following is the result No 1 Frank J. Arn-
 old Guardian of Park & Arnold No 2 Wood-
 son H. Arnold No 3 Frank J. Arnold Executor of
 Elizabeth M. C. Arnold No 4 Frank J. Arnold
 Executor of James C. Arnold No 5 Frank J. Arn-
 old No 6 Frank J. Arnold Executor James N.
 Arnold No 1 consisted of a tract of Land the
 N^W 1/4 Sec 13 Township 5 Range 27 west S. E.
 N. E. 1/4 Sec 14 Township 5 Range 27 west Val-
 ued at \$600. 1 Mule (Peter), 65¢ 3 sheep valued
 at \$4.50 1 set wagon harness & 2 pr. harness
 traces valued at \$15.50 1 Single & clevis valued 65¢
 1 Collar at 25¢ 1 Cow and calf & yearling
 at \$20.50 1 set Blacksmith Tools & wrench
 at \$30.50 1 Stretched chain 50¢ 1 Grind Rock 6¢
 1 Pitch 2 working hoes at \$2.50 1 corn sheller at \$2.
 1 Steel Turning plow and shovel plow \$8.75
 House hold & kitchen furniture \$72.36 1/3 1
 Bull \$1.50 1 Mule & Jack \$60 1 Iron ridge 50¢
 1 Pr flooring dogs 25¢ 1 Horse collar \$1.50 5 Hogs -
 \$21.50 Total amount of list No 1 is 937.36 1/3
 Nine hundred & thirty six dollars & thirty six
 cents & two thirds No 2 consisted of a tract of
 Land S. E. 1/4 Sec 14 T. 5 R. 27 W. valued at \$600

1 Mule (Rt), \$70.⁰⁰ 3 sheep \$4.³³ plantation and
 farming utensils and wagon harness \$41.⁶⁶
 1 Thrasher & Horse Power \$350.⁰⁰ 4 head cattle \$30.⁰⁰
 House hold & Kitchen furniture \$67.²³ 1 Bull
 1.25 6 Head Hogs \$17.⁵⁰ Total amount of list
 No 2 is \$1183.⁶⁶ No 3 Consisted of a tract of
 Land the SW 1/4 NE 1/4 Sec 14 T5 R 27 W S 1/2 NE 1/4
 Sec 14 T5 R 27 W valued at \$500.⁰⁰ 1 Mule (Rt),
 \$75.⁰⁰ 3 sheep \$4.³³ 1 Wagon with lines and col-
 lar \$85.⁰⁰ plantation & farming utensils \$22.²⁵
 4 head cattle \$32.⁵³ 1 set Carpenter Tools \$20.⁰⁰
 House hold & Kitchen furniture \$78.³⁶ 8 head
 Hogs \$24.⁵⁰ Total amount of list No 3 \$841.⁵¹
 No 4 Consist of a tract of Land SE 1/4 NE 1/4
 Sec 23 T5 R 27 W valued at \$500.⁰⁰ 1 Mule (Rt),
 \$90.⁰⁰ 3 head sheep \$4.³³ plantation and fur-
 ming utensils \$15.⁶⁵ 1 Buggy and harness with
 out lines & collar \$125.⁰⁰ 4 head cattle \$30.⁰⁰
 House hold & Kitchen furniture \$66.³⁰
 10 head Hogs \$24.⁵⁰ Total amount of list No
 4 is \$856.⁰⁵ No 5 consist of a tract of Land
 NE 1/4 NE 1/4 Sec 23 T5 R 27 W valued at \$500.⁰⁰ 1
 Mule (a Jack), \$70.⁰⁰ 3 sheep \$4.³³ 1 Wagon \$65.⁰⁰
 plantation and farming utensils \$37.⁶⁶ 3 head
 Cattle \$25.⁰⁰ 1 set shoe makers Tools \$4.⁰⁰ 1 sack
 salt \$2.⁷⁵ 32# Wool \$10.⁰⁴ 10 head Hogs \$34.⁵⁰
 House hold and Kitchen furniture \$98.¹⁶
 Total amount of list No 5 is \$851.²⁵ No 6 con-
 sist of a tract of Land SW 1/4 Sec 10 T5 R 27
 valued at \$500.⁰⁰ 1 Mule (Jeny), \$75.⁰⁰ 1 Mare & colt
 \$50.⁰⁰ 2 sheep \$3.⁰⁰ Reaper & Mower combined \$50.⁰⁰
 3 head cattle \$20.⁰⁰ plantation and farming

utensils \$19.55 house hold & kitchen furniture
\$45.13 9 head hogs \$31.93 Total amount of list
No 5 is \$910.56 2/3

No 2 pays to 3 \$88.52 2/3 No 2 pays to 4 \$74.00 2/3

No 2 pays to No 5 \$78.72 2/3

No 2 pays to No 6 \$12.18

No 1 pays to No 6 \$730 2/3

This October 8. 1877

Samuel Knox
J A Young
George Hincannon } Commissioners

State of Arkansas }
County of Logan }

I Samuel Knox do solemnly
swear that the above and foregoing is a com-
plete and perfect report of us as commissioners
to Partition the property of the minors heirs
of James Arnold died on the 8 day of October 1877

Samuel Knox

Sworn and subscribed before me Oct-15-
1877 C. V. B. Hurley
CLK

State of Arkansas }
County of Logan }

I J A Young do solemnly
swear that the above and foregoing matter
and facts set forth in the within report are
true

Doctor J A Young

Sworn to before me this Oct-15/77

J. J. Powell

J. P.

To the Honorable the Hon. Potter
Judge of the Logan Probate

Yours Petition would
Respectfully represent - and show
under to your honor that - their
said Guardian Frank
J Arnold has ousted as it
has appar to their knowledge
your Petitioners would
further represent - and pray unto
your honor that Frank
J Arnold be appointed their
Guardian and that he be
allowed the time required
law to file his Bond &
Take full Charge of
their property - as we the
undersigned petitioners are
minor him of Jas Arnold
Died and that our Father
Jas Arnold Died Left a Large
amount - property in the state
Georgia and that your Petitioners
prayer that Frank J Arnold be
appointed their Guardian as he
better acquainted with the
margins of that - as their

property in the State Georgia
your Petitioners would
can be duty bound to pray
and would can pray
your Petitioners would
further show that - we are the
age of fourteen years
J E Arnold
Part: Ex ^{the} ~~Arnold~~
~~may~~

Ordered on Back
Petition of Jas. E. Arnold and
Park E. Arnold
asking that - Frank J. Arnold
be appointed their Guardian and
give Bond as required by
law

Filed July 17th 1878
C. V. B. Harley Clerk
J. B. Fanning

State of Alabama
County of Morgan

J. N. T. Barlow

Clerk of the County Court and
ex officio Clerk of the Probate Court
do hereby certify that - the above
and foregoing is a true and
correct copy of the Petition of
Jas. E. Arnold and Park E. Arnold
filed July 17th 1878 asking the appointment
of Frank J. Arnold as their Guardian
together with the endorsement of
the Court on back of petition now
on file in my office

In witness whereof my
hand and official seal this
September 8th 1896

J. N. T. Barlow
Clerk

In The Logan Probate Court
January Term 1878

F. J. Arnold Guardian

vs Petition to Reinstate order of court and
commissioners Report of distribution
among minors heirs of James Arnold de
ceased.

Your Petitioner the undersigned Guardian for James A Arnold Elizabeth M. C. Arnold James C. Arnold and Park C. Arnold minors under the age of twenty one years would respectfully represent and shew unto your honor that he petitioned the Probate Court of Logan County as guardian for the above named heirs and in his own right Stroter Arnold in his own right joining in said petition for a partition of all their Real and personal property upon the hearing of said petition your honor made and caused to be entered up the following order "Licit"

At the Regular July Term of the Logan Probate Court among other things the following proceedings were had "Licit"

F. J. Arnold

M. H. Arnold

F. J. Arnold Guardian for James A. Arnold
Elizabeth M. C. Arnold James C. Arnold and
Park C. Arnold minors vs } Ex parte petition
for Partition.

And now on this comes —

J. J. Arnold W. H. Arnold and J. J. Arnold as
Guardians for James N. Arnold Elizabeth M. C.
Arnold James E. Arnold and Ruth E. Arnold mi-
nor heirs to the Estate of James Arnold decess-
ed. by their Attorneys A. D. J. B. King and files
their petition for partition in which they show
that four years ago, before the death of their fa-
ther James Arnold he was seized and possess-
ed of the following real Estate "to wit" The $\frac{1}{2}$
N. E. $\frac{1}{4}$ Sec 23 T. 5 R. 27 West The $\frac{1}{2}$ S. E. $\frac{1}{4}$ Sec
14 T. 5 R. 27 It The $\frac{1}{2}$ S. W. $\frac{1}{4}$ Sec 14 T. 5 R. 27 It
The N. W. $\frac{1}{4}$ S. E. $\frac{1}{4}$ Sec 23 T. 5 R. 27 or It $\frac{1}{2}$ N. W. $\frac{1}{4}$
Sec 13 T. 5 R. 27 or The $\frac{1}{2}$ N. E. $\frac{1}{4}$ Sec 14 T. 5 R. 27 or
The S. W. $\frac{1}{4}$ Sec 10 T. 5 R. 27 or that at that time
he decessed the same to his six children nam-
ed in the said petition that there was a large
amount of Personal property on hand at the
time of their death of their father James Ar-
nold which belonged to them jointly and they
are each of them entitled to a one sixth part
of both real and personal property there being
no widow who is entitled to a dower and
praying the Court to make an order ap-
pointing commissioners to appraise lay off
and allot said Real and personal property
in six as equal parts as can be done and as
near equal value as can conveniently be done
and the Court being well and sufficiently ad-
vised in the premises from said Petition is of
opinion that the Petition is in due form of
Law and that all the parties interested have
joined in said Petition and that the prayer

There to ought to be granted, and said petition made. It is therefore ordered that J. A. Young, George Kincannon and Saml Kurl be and they are hereby appointed commissioners to appraise lay off and allot all of the property both real and personal mentioned and described in said petition in six as near equal lots and of as near equal value as they possibly can and on as equitable principals as they can to all the heirs. That said commissioners have the authority to secure the services of a competent surveyor to run out and equally divide the six hundred acres of divided land they will not allot lay out or divide the two hundred acres of homestead land the minor heirs having vested rights therein and further that said commissioners meet at the house of J. A. Young on the 27th day August 1877 and continue from day to day until said appraisal and allotment & division of the property both real & personal is completed when the list containing an equal share of one sixth part of said real & personal property shall be numbered from one to six and a corresponding number placed on six tickets said tickets to be placed in a hat or box by said commissioners from each heir shall draw one ticket ^{and receive of the clerk the same number on his or her ticket} and that said commissioners make report of all their acts and doings at the October 1877 term of this court in the State of Arkansas }
County of Logan }

over

I C. V. B. Harley clk of the Probate Court in and for the County and State aforesaid hereby certify that the above and foregoing instrument of writing is a true and perfect copy of an order made at the July 1877 term of the Logan Probate Court in the above entitled cause as appears of record in my office

In testimony whereof

I hereunto set my hand and affix the seal of my Office at Office in Paris this the 24th day of July 1877

Signed C. V. B. Harley
Clk

Your petitioner would further represent and show unto your honor that after the entering up of the order aforesaid at the said July term of the probate court in the year 1877 and also after the certified copy of said order was made out by the clerk of the Court of Probate "Lorin" on the 18th day of October A.D. 1875 said commissioners so appointed as aforesaid at said July term A.D. 1877 filed their said report showing in full how they had partitioned said Real & personal property between said heirs, which said report was in figures and words to wit-

State of Arkansas

County of Logan

Samuel Knox and

J. A. Young

U.S. Report of partitioners of Real and personal property of the minor heirs of James Arnold Dec'd

End

Doc Fr 11

Application of
^{162 46}
Fred. Humphrey
for enrollment
as Citizen of the
Choctaw Nation

FILED SEPT. 9 1896.
A. S. McKENNON
COM 'R'

W. K. K. Atty
for Applicant

Application for Enrollment

To the Hon H.L. Dawes, F.C. Armstrong, A.S. McKennon, T.B. Canalis,
and A.B. Montgomery, United States Commissioners for the Five Civilized
Tribes:

The undersigned petitioner, Fred Humphrey, makes this application
to you for the purpose of being placed on the roll of Choctaw freedmen
entitled to citizenship in the Choctaw Nation.

Your petitioner states that he is about fortyeight years of age and
resides in the Chickasaw Nation near the town of Wynnewood, Indian Terr. It
is his statement that he is a Choctaw freedman of African descent; that he was born
in the Chickasaw Nation, Indian Territory and was held by Jackson Kemp a
Choctaw Indian by blood, in the Chickasaw Nation at the time of the
Treaty of Ft Smith; that he is a son of Catharine Kemp who is a Choctaw
freedwoman, who was ^{also} held by the said Jackson Kemp as a slave at
the time of the said Treaty of Ft Smith.

Wherefore applicant prays that he be placed on the roll as a
Choctaw Freedman entitled to citizenship in the Choctaw Nation and for
all other proper relief.

Attest: J. P. ...

Fred X Humphrey

Subscribed and sworn to before me this the 29th day of August, 1894

J. P. ...

Notary Public, Southern District, I.T.

POOR ORIGINAL -
BEST AVAILABLE COPY

United States of America.
Indian Territory
Southern District.

Affidavit of Bart Franklin

Before me the undersigned authority on this the 24th day of August, 1896. personally appeared Bart Franklin, who after being duly sworn by me to tell the truth, the whole truth and nothing but the truth deposes and says:-

My name is Bart Franklin, am sixty one years of age. My residence is about four miles north of the town of Wynnewood, Ind. Ter. I was born in Miss. and came to the Indian Territory with the Chickasaw Indians and have resided in the Chickasaw Nation since that time. I am a Chickasaw Freedman and was held as a slave by Bill Perry, a Chickasaw Indian. I know Fred Humphrey, he is my step-son, is a son of my present wife. Have known him for about forty years. he was a held as a slave by Jackson a Choctaw Indian, at the ~~same~~ date of the treaty of Fort Smith, or when the Choctaw and Chickasaw ~~in~~ slaves were freed.

Subscribed and sworn to before me this the 24th day of August, 1896.

Notary Public in and for the
Southern District of the
Indian Territory.

Southern District

POOR ORIGINAL -
BEST AVAILABLE COPY

United States of America.
Indian Territory
Southern District.

Affidavit of X Joe Smith

Before me the undersigned authority on this the 24th day of August 1896. I personally appeared Joe Smith, who after being duly sworn by me to tell the truth the whole truth and nothing but the truth, deposes and says:- My name is Joe Smith. My age is forty two years. My residence about three miles north of the town of Lawton, Ind. Ter. I was born at Colbert Station, Ind. Ter. I am a Chickasaw Freedman and belonged to Rebecca Colbert. I knew Fred Murphy. Have known him all my life. Know him to be a Choctaw Freedman. He belonged to Jackson Kemp, a Choctaw Indian by blood, and was held as a slave by the said Jackson Kemp ~~XXXXXXXXXXXX~~ and was ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ in the Choctaw Nation at the date of the Treaty of Fort Smith or when the Choctaw and Chickasaw slaves were freed.

Attest:
W. H. F. F. F. F. F.

Subscribed and sworn to before me this the 24th day of August 1896.

Southern Dist

Joe Smith
W. H. F. F. F. F. F.
Notary Public in and for the
Southern District of the In-
dian Territory.

POOR ORIGINAL -
BEST AVAILABLE COPY

Indian Territory
Sent in his right

I, _____ do solemnly swear, on this the 8
day of September 1896, at the Post Office of Wymond
Indian Territory, I saw Cyrus E. Kean, Attorney for the Applicant men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Barker, Governor of the Choctaw Nation, at Tishah, Indian
Territory. I examined said letter and found it to be a true and correct
copy of the application, to the Law Commission, for Citizenship of _____

Paul Thompson

Witness my hand and seal this 8th day of September 1896.
Bart Franklin
Postmaster

REGISTRY RECEIPT.	
Post Office at _____	
Registered Letter Parcel	No. 126
of _____	Rec'd Sept 8 1896
addressed to _____	<u>Cyrus E. Kean</u>
	<u>Mail Letter</u>
	<u>Gov. Jefferson Barker</u>
	<u>Choctaw</u>
	<u>J. C. Lee</u>

Received Receipt No. 126
Said letter.
Frank J. Robinson
Sept 8, 1896
W. A. Robinson
Postmaster, Choctaw Nation, I.T.

do solemnly swear, on this the 8th
Post Office of Wymore
Year, Attorney for the applicant men-
attached, mail a registered letter to
Chocoma Nation, at Tusahom, Indian
and found it to be a true and correct
for Commission, for Citizenship of
Wymore

Barth Franklin

in support of the same, and that the receipt No. 126 of the at-
tache was given him as receipt for said letter.

Frank J. Robinson

Subscribed and sworn to before me this 8th day of December, 1906.

W. H. Dickinson

Notary Public, Southern District, I.T.

REGISTRY RECEIPT.

Post Office at

Registered Letter Parcel

No. 126

Rec'd. Sep 8th

1896

of

Cyrus E. Kean
One letter

addressed to

Gov. J. C. Gardner
Gustatoma

H. C. Lee

REGISTERED LETTER NO. 126 RECEIVED AT

POST OFFICE

Sept 8, 1896
C. J. St. John
St. Paul, Minnesota, U.S.A.

Indian Territory, I saw Cyrus E. Kean, Attorney for the applicant mentioned in the application hereto attached, mail a registered letter to Jefferson County, Governor of the Choctaw Nation, at Muskogee, Indian Territory. I examined said letter and found it to be a true and correct copy of the application, to the James Commission, for consideration of said application.

Wm. H. Smith

IN THE MATTER OF THE CLAIM OF Paul H. Hargrave

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case service was not had on the Choctaw Nation
until the 11 day of SEPTEMBER, 1900.

The Choctaw Nation
By Stuart Gordon Bailey
Its Attorneys.

NO.

CLAIM OF
Fred Humphrey
For Choctaw Citizenship

ANSWER.

Filed Oct. 9, 1896.
Attest
secy.

STUART, GORDON & HAILEY, Attorneys.

End

Choc FR 12

Application of
Lottie Kemp
Malinda Kemp
Ebeneser Kemp
for enrollment as
Citizens of the
Choctaw Nation

FILED SEPT. 9 1890.

A. S. MCKENNON

COM'R

Indorsed
As to be recorded
with
Indorsement Roll
C. G. Keim Atty
for Applicants.

NO.....

—CLAIM OF—

Lottie Kemp.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 9, 1896

H. M. Jacobson
Secy

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Lottie Kemp.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case service was not had on the Choctaw Nation
until the 11th day of Sept. 1906.

The Choctaw Nation
By Stuart Gordon & Bailey
Its Attorneys.

APPLICATION FOR ENROLLMENT.

To the Hon H.L. Dawes,, F.C. Armstrong, A.S. McKennon, T.B. Cabanis
and A.B. Montgomery, United States Commissioners to the Five Civilized
Tribes:-

The undersigned applicant, Lottie Kemp, for and on behalf of her
self and children, make this their application to you for the purpose of
being placed on the roll of Choctaw Freedmen entitled to Citizenship in
the Choctaw Nation.

Applicant states that she is about twenty years of age and resides
in the Chickasaw Nation near the town of Wynnewood, Indian Territory;
that she is a Choctaw Freedwoman of African descent; that she was born
in the Chickasaw Nation and ~~was the daughter of~~ the daughter of
John Kemp and Malina Kemp both of whom are Choctaw freedmen and were held
as slaves in the Chickasaw nation at the time of the Treaty of Ft Smith
when the Choctaw Slaves were set free, by Jackson Kemp a Choctaw Indian
by blood.

Applicant further states that she is the mother of two children
now living and whose names and ages are as follows: Malinda Kemp age
three years, Ebenezer Kemp age one year,

Wherefore applicant prays that she and her said Children be placed on
the roll of Choctaw freedmen and for all other proper relief.

Lottie Kemp
witness

United States of America
Indian Territory
Southern District

On this the ^{Sept} 1st day of August 1896 personally appear-
ed before me, A.S. Hetchkins, a notary public in and for the Southern
District of the Indian Territory Lottie Kemp who being by me duly sworn
upon her oath states that the facts set forth in the above application are
correct and true. Subscribed and sworn to before me this the 1st day
August, 1896.

Sept

Southern District

A.S. Hetchkins
Notary public, Southern District, T.I.

Application for Enrollment.

Indian Territory
Southern District.

Before me the undersigned authority, personally appeared Malina Kemp, who being by me duly sworn to tell the truth the whole truth and nothing but the truth, deposes and says:- My name is Malina Kemp, my age about sixty years, my residence about one mile north of the town of Wynnewood, Ind. To my husband's name is John Kemp, we are both Choctaw Freedmen of African decent and were held as slaves in the Chickasaw Nation, Ind. Ter., at the time of the Treaty of Fort Smith by Jackson Kemp a Choctaw Indian by blood. I know Lottie Kemp, she is my daughter and the said John Kemp is her father, she is twenty years of age and is the mother of two children whose names and ages are as follows: Malinda Kemp, age three years and Ebinezer Kemp, age one year. The said Lottie Kemp and her two children are now living in the Chickasaw Nation, near the town of Wynnewood, Ind. Ter.

Attest:
A. H. Stokkin

Malina Kemp
Notary Public in and for the
Southern District of the
Indian Territory.

Subscribed and sworn to before me this the 29th day of August, 1896

*Southern
District*

A. H. Stokkin
Notary Public in and for the Southern
District, I.T.

POOR ORIGINAL -
BEST AVAILABLE COPY

Indian Territory
Southern District

I, Frank S. Robinson do solemnly swear, on this the
8 day of September, 1896, at the Post Office of Wynnewood
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Gardner, Governor of the Choctaw Nation, at Tuskehoma Indian
Territory. I examined said letter before it was mailed and found it to
be a correct copy of the application, to the Dawes Commission, for Citi-
zenship of Lettie Kemp, Malinda Kemp
Elizabeth Kemp

together with the affidavits of Malinda Kemp

in al
ed wt

Sul

out

REGISTRY RECEIPT.	
Post Office at <u>Wynnewood</u>	Rec'd. <u>Sept 8</u> 189 <u>6</u>
Registered Letter Parcel	of <u>Cyrus G. Kean</u>
addressed to <u>Gov. Jefferson Gardner</u>	
<u>Tuskehoma, I. T.</u>	
<u>H. C. Lee</u> P. M.	

istry receipt No. 28 hereto attach-
letter.

Frank S. Robinson

this the 8 day of September, 1896.

C. R. Schick

ry Public, Southern District, I. T.

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear, on this the
8 day of September, 1896, at the Post Office of Wynnewood
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Gardner, Governor of the Choctaw Nation, at Tuskehoma Indian

To

before it was mailed and found it to

be a

Daves Commission, for Citi-

zer

Abinda Kemp

to be

in Kemp

in s

receipt No. 28 hereto attach-

ed w

ter.

Frank L. Robinson

Subscribed and sworn to before me this the 8 day of September, 1896.

Wynnewood District

C. R. Sullivan

Notary Public, Southern District, I.T.

Indian Territory, I saw Cyrus G. Keen, Attorney for the applicants mentioned in the application hereto attached, mail a registered letter to Jefferson Gardner, Governor of the Choctaw Nation, at Tuskegee Indian Territory. I examined said letter before it was mailed and found it to be a correct copy of the application, to the Dawes Commission, for citizenship of Little Bear, Malinda Bear, Alvin Bear

together with the affidavits of Malinda Bear

in at
ed with

Registry Receipt.

Post Office at WILLIAMSBURG

Registered Letter Parcel No. 28 Rec'd. Sept 8 1896

of Cyrus G. Keen

addressed to Gov. Jefferson Gardner
Tuskegee I. T.

H. C. Lee P. M.

Registry receipt No. 28 hereto attached letter.

Frank A. Robinson

this the 8 day of September, 1896.
C. A. Robinson
U. S. Public, Southern District, I. T.

End

Doc Fr 13

4137

Jennie Peters

~~Chactasaw~~

Choctaw

rec'd

for the

Rock

Filed Sep 9/1896

A. S. W. Kennon

Comm

Ada L. G.

I wepand do swear that I am not
interested in this claim and that
a true copy of the petition and
offe bonds have been collected and
sent to the governor of the District
National August 31st 1890.

Wepand
Sworn to and subscribed
before me this 8 day of Sept 1890
J. M. G. Notary Public

Original
Jennie Peters
Petition

United States of America
Chickasaw Nation - Indian
Territory.

To the Hon Commission
to the Five Civilized Tribes
Your petitioner Jennie Peters
would most respectfully
show to your honorable body

That she is the daughter
of a ^{Choctaw} ~~Choctaw~~ freedman
that her mother Margaret
Harris was owned by Jerry
Cochran who was a Choctaw
Indian that her mother
belonged to said Jerry Coch-
ran from long before the
war until the emancipation
proclamation

wherefore petitioner prays
that she be enrolled as
^{daughter of} a Choctaw freedman as
affirmed ^{Jennie & Peters}
Sworn to and subscribed
before me this 14th day of
August 1896

Jno. A. McKim
Notary Public.

In due Tuesday Check now
notion now on this day
Comes J. B. Dagg and H. L. Dyer
and two persons who I
anticipate to be respectable and
who after being sworn say
they believe the affiant credible
and the defendant person
he represents himself to be

J. B. Dagg
H. L. Dyer
Subscribed before

on this 14 day 1876

J. A. McKingie
Notary Public

United States of America
Cherokee Nation
Indian Territory.

I am the mother of the claim
of Quinn Peters a small
as daughter of a Cherokee field-
man Mary Ann Blackberry
duly sworn in relation to said
claim the office of Commissioner of the

My name is Mary Ann
Blackberry I am the mother of
Quinn Peters a small
as daughter of a Cherokee field-
man from before the war
until the war was over and
then we were made citizens
in the Cherokee Nation at
the date of the Treaty of 1838 with

presence

Attest

I am a female and Quakered upon
the 26th day of August 1838

Notary Public

End

Choc FR 14

Application of
6452
Jessie Lynn
and
Daisy Lynn
for enrollment
as Citizens of the
Choctaw Nation

FILED SEP 11 1905
A. S. McHENNON
COM'R

Friedman

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Medmore

Rain

W. G. Kew City
for Applicants

APPLICATION FOR ENROLLMENT

To the Hon. H. L. Dawes, F. C. Armstrong, A. S. McKennon, T. B. Cabnis, A. B. Montgomery, United States Commissioners to the Five Civilized Tribes

The undersigned petitioner, Lewis Linn, for and on behalf of his two children, Jessie Linn, and Dasie Linn, make this application for the purpose of having his said two children enrolled as Choctaw Freedmen entitled to citizenship in the Choctaw Nation.

Your petitioner states that he is about seventy five years of age and resides in the Chickasaw Nation, near the town of Wynnewood, Ind. Ter.; that he was married to Mandy Kemp about the year 1880; that the said Mandy Kemp was a Choctaw Freedwoman and was held as a slave by Jackson Kemp, a Choctaw Indian by blood, at the time of the Treaty of Fort Smith when the Choctaw Freedmen were set free; that she was a daughter of John Kemp and Frances Kemp, who were both Choctaw Freedmen and were held by the said Jackson Kemp at the time of the said treaty of Fort Smith; that he has two children by his said wife, Mandy Linn, whose names and ages are as follows: Jessie Linn, age 16 years and Dasie Linn, age fourteen years, both of which are now living ~~with~~ in the Chickasaw Nation; that their mother the said Mandy Linn has been dead about six years.

Wherefore petitioner prays that his said two children be enrolled as Choctaw Freedmen entitled to citizenship in the Choctaw Nation.

Indian Territory
Southern District.

On this the 29th day of August, 1896, personally appeared before me ~~xxx~~ Lewis Linn, a Notary Public in and for the Southern District of the Indian Territory, Lewis Linn, who being by me duly sworn ~~xxx~~ upon his oath states that the facts set forth in the above application are true and correct. Subscribed and sworn to before me this 29th day of August 1896.

Southern District

C. H. Oshkinn
Notary Public.

AFFIDAVIT OF JOHN KEMP

Indian Territory
Southern District.

Before me this the 1st day of September 1896. personally appeared John Kemp. who after being duly sworn to tell the truth, the whole truth and nothing but the truth. deposes and says:- My name is John Kemp. my age is about eighty eight years. my residence about one mile north of the town of Wynnewood. Ind. Ter.. I am a Choctaw Freedman and was held as a slave by Jackson Kemp. a Choctaw Indian by blood. at the time of the Treaty of Fort Smith. I know Lewis Linn. I know his wife. Mandy Linn. she was my daughter ~~and~~. she was born in the year 1854. in the Chickasaw Nation. Ind. Ter. and was held as a slave by the said Jackson Kemp at the time of the said Treaty of Fort Smith. that her mothers name was Frances Kemp. a Choctaw Freedwoman. who was held as a slave at the time of said Treaty of Fort Smith by the said Jackson Kemp. The said Mandy Linn ~~has~~ has been dead about six years. that she is the mother of the said Lewis Linn's two children. whose names and ages are as follows: Jessie Linn. age about sixteen years. and Dannie Linn. age about fourteen years. The said two children are now living with their father in the Chickasaw Nation. near the town of Wynnewood. Ind. Ter.

Subscribed and sworn to before me this the 1st day of September 1896.

Notary Public in and for the
Southern District of the
Indian Territory.

John Kemp

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear, on this the
day of September, 1896, at the Post Office of Wynne, Ark.

In Indian Territory, I saw Cyrus G. Yeak, Attorney for the applicant men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Gardner, Governor of the Choctaw Nation, at Tuskahoma, Indian
Territory. I examined said letter and found it to be a true and correct

copy of the application, to the Law Commission, for Citizenship of
Miss Lynn and Daisy Lynn

to the said office of John A. Lee

South

REGISTRY RECEIPT.	
Post Office at <u>Wynne, Ark.</u>	Rec'd <u>Sept 8</u> 1896
Registered Parcel	No. <u>130</u>
of <u>Cyrus G. Yeak</u>	
One letter	
addressed to <u>Gov. Jefferson Gardner</u>	
<u>Tuskahoma, Ok.</u>	
<u>A. C. Lee</u>	

Registry Receipt No. 130 of the
letter.
Frank L. Robinson
on the 8 day of September, 1896.
(J. H. Hickkin)
Public, Southern District, I.T.

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do solemnly swear, on this the
rice of Thymme Ward
Attorney for the applicant men-
ed, mail a registered letter to
ctaw Nation, at Tuskeghom, Indian
ound it to be a true and correct
omission, for Citizenship of

Daisy Lynne

John Kemp

in receipt of the same, and that the registry receipt no 130 has been
was given him as receipt for said letter.

Frank L. Robinson

subscribed and sworn to before me this 1st day of September, 1900.

(J. H. H. H. H. H.)

Notary Public, Southern District, I. I.

Santha D. D. D. D. D.

Jefferson Gardner, Governor of the Choctaw Nation, at Tuskahom, Indian Territory. I examined said letter and found it to be a true and correct copy of the application, to the Taxes Commission, for Citizenship of David James Davis

together with the affidavits of John A. Davis

8674

11

12

13

REGISTRY RECEIPT.

Post Office at Wynnewood, I.T.

Registered Letter Parcel No. 130 Rec'd Sept 8 1896

of Cyrus G. Keen

One letter

addressed to Gov. Jefferson Gardner
Tuskahoma, I.T.

H. C. Lee P.M.

Registry receipt No 130 received at
6:10 P.M.
sent to Jefferson Gardner
this day of September, 1896.
H. C. Lee
Public, Southern District, I.T.

End

Doc FR 15

⁴⁴⁴⁴
Application of
Adeline Ross
Millie Paul
Dick Ross
Ben Ross
Rosa Ross
Albert Ross
Alice Ross
Mamie Ross
John Ross
for enrollment
as citizens of the
Choctaw Nation

FILED SEPT. 9 1896. ☆

A. S. MCKENNON
CLERK

These Ross
witnesses
O. S. Kean, Atty
for Applicants

APPLICATION FOR ENROLLMENT

To the Hon. H.L. Dawes, F.C. Armstrong, A.G. McKelhen, T.M. Cabanis, and A.E. Montgomery, United States Commissioners to the Five Civilized Tribes:-

The undersigned, applicant, Adaline Ross, ~~xxxxxxxxxxxx~~ for and on behalf of herself and children make this their application to you for the purpose of being placed on the roll of Choctaw Freedmen entitled to citizenship in the Choctaw Nation. Applicant states that she is about forty years of age and resides in the Chickasaw Nation near the town of Wynnewood, Ind. ^{Texas} that she is a Choctaw freed woman of African descent ^{that she was born in the Choctaw Nation, Ind.} and was held ~~xxxxxx~~ as a slave by Jackson Kemp, a Choctaw Indian by blood until about two years before the Choctaw Freedmen were set free, when ~~she was~~ the said Jackson Kemp gave her to his daughter, Healie, who married John Turnbull, a Choctaw Indian by blood and that she was held as a slave by the said John Turnbull and his wife, Healie Turnbull at the time of the Treaty of Fort Smith when the Choctaw Indians were set free.

Applicant further states that she is the mother of eight children that are now living and compose a part of her family and whose names and ages are as follows: Willie Paul, age 22 twenty three years; Dick Ross, age twenty two years; Ben Ross, age 18x eighteen years; Rosia Ross, age seventeen years; Albert Ross, ~~xxxx~~ and Alice Ross, ages nine years; Manual Ross, age seven years; John Ross, age four years.

wherefore, applicant prays that herself and her said children be enrolled as Choctaw Freedmen entitled to citizenship in the Choctaw Nation and that they be given all other proper relief.

United States of America,
Indian Territory,
Southern District.

On this the 27th day of August, 1896, personally appeared before me, A. S. Hatchkin, a notary public in and for the Southern District of the Indian Territory, Adaline Ross, who being by me duly sworn to tell the truth, she swore truth and nothing but the truth. ~~xxxxxxxxxx~~ upon her oath stated that the facts set forth in the above application are correct and true. Subscribed and sworn to before me this the 27th day of August, 1896.

Adaline Ross
Notary Public in and for the Southern District of the Indian Territory.

left: Due to testimony and testimony to the said Jackson Kemp.

POOR ORIGINAL -
BEST AVAILABLE COPY

AFFIDAVIT OF JOHN KEMP

Indian Territory
Southern District.

Before me the undersigned authority personally appeared John Kemp, who after being duly sworn to tell the truth the whole truth and nothing but the truth, deposes and says: My name is John Kemp, my age about eighty eight years, my residence about one mile north of the town of Wynnewood, I.T. I am a Choctaw Freedman and was held as a slave by Jackson Kemp, a Choctaw Indian by blood, at the time of the Treaty of Fort Smith. I know Adaline Ross, she is my daughter, her age is about forty years, she was held as a slave by John Turnbull, a Choctaw Indian by blood, in the Chickasaw Nation, Indian Territory, at the time of the treaty of Fort Smith. Her mothers name was Francis Kemp, who was held as a slave by Jackson Kemp at the time of the said treaty of Fort Smith. The said Adaline Ross is the mother of eight children that are now living with her in the Chickasaw Nation near the town of Wynnewood, Ind. Ter., whose names are as follows: Willie Paul, Ben Ross, Dick Ross, Rosia Ross, Albert Ross, Alice Ross, Manual Ross, & John Ross.

Subscribed and sworn to before me this 1st day of August 1896.

John Kemp
Notary Public
Notary Public in and for the
Southern District of the
Indian Territory.

Small of 1896

POOR ORIGINAL -
BEST AVAILABLE COPY

John Kemp

on solemnly swear, on this the
day of September, 1896, at the Post Office of Wymore
Nebraska, I saw Cyrus B. Kent, Attorney for the applicant, and
examined the application and attached mail and referred letter to
Governor of the Territory, and advised him that the same
had been said before me before it was sworn and found to be
true and correct, to the Postmaster, for distribution,
William Ross, Millie Paul, Dick
Ross, Ben Ross, Rosa Ross, Pearl
Ross, Oliver Ross, Manuel Ross, John Ross,
all the affidavits of John Kemp

REGISTRY RECEIPT.

Post Office at Wymore
Registered Letter No. 1314 Rec'd Sept 8 1896
of Cyrus B. Kent
One letter
addressed to Gov. Jefferson Gardner
Wymore, Nebraska
J. B. Lee

for, front, & back, & attached
letter.
Frank S. Robinson
this the 8 day of September, 1896.
C. B. Lee
Public, Southern District, I.T.

1900

Milla Paul Dietz
Kico Dietz
Harriet Kico Schmitt
Ann Dietz

1. The first of these is the fact that the United States has a large and growing population of people who are not citizens of the United States. This is a result of the large number of immigrants who have come to the United States in recent years, and the fact that many of these immigrants are not naturalized citizens.

Frank F. Robinson

Subscribed and sworn to before me this 20th day of Dec., 1970.

Cyprus

~~Tolson~~, Public, Southern District, I.I.

161

NO.....

CLAIM OF

~~Adeline~~ Ross

FOR CHOCTAW CITIZENSHIP.

ANSWER.

*filed Oct 9, 1896,
at the session
Court*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Adeline Ross

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case service was not had on the Choctaw Nation until the 11th day of Sept. 1896.

The Choctaw Nation
By *Stuart Gordon Hurley*
Its Attorneys.

End

Choc FR 16

No 3321

Ann Johnson et al

vs
Choctaw Nation

FILED SEPT. 8. 1890

A. S. McKENNON

COM 'R'

Wilmington
Tex

United States & American
Central district
Indian Territory

Before the honorable Commission of the
five civilized tribes.

In the case of the enrollment of
Perry Johnson and Charlie Johnson, as
adopted citizens of the Choctaw nation,
and the aforesaid applicants hereby
make application to your honorable
commission to be enrolled as an adopted
citizens of the Choctaw nation; and
in support of our said State;
that applicants were born of parents
born in the Choctaw nation; and was
in the said nation at the treaty of 1866
and that applicants were also born in
the said Choctaw nation, and have lived
here among their parents, but were not
adopted, being away at the time of
adoption. Applicants can get all the witnesses
needed to prove that they rightly belong
here in the Choctaw nation.

Perry Johnson
Charlie Johnson

Subscribed to and sworn to before me this
the 3rd Sept-1896.

J. M. Hopkins
Notary Public
Central and vic. ed

End

Choc FR 17

4705
Application
of

Gurio Fulcom.

v.

Bohoslav Batoric

Feed 9/9/96/

H. M. Jarroway
Sur

Sing

Hold

Wardogge, I. J.

Before the Hon. Dawes Commission
Vinita Ind. Terr.

Gornes Lewis Fulson and
represents that he is a Choctaw
freeman. That he bases his claim
upon the fact that he was born in
said nation and was always owned
by a Choctaw citizen by blood, and
that he was the slave of Amson
Fulson who was a citizen of the
Choctaw Nation by blood, that he
never lived any where except with
the said Amson Fulson. That he
served the said Amson Fulson un-
til the war closed in 1865 when he
was made free. That the reason why
he was not enrolled was because
he was sick at the time they enrolled
the Choctaw freedmen. That after
the war he married a Creek citizen
and has lived in Creek Nation ever
since, That he is 55 years of age that
he was born Dec. 25, 1837.

Wherefore your petitioner prays
that he be enrolled as citizen of the Choctaw
Nation.

witness.

H. J. Morris

Lewis^{his} Fulson_{mark}

Subscribed and sworn to before
me this 8th day of Sept. 1896.

W. H. Langs.

Notary Public,
N. Dist.

My Commission expires Dec. 6th 1899.

Before the undersigned authority
personally appeared Henry Ghalk and made
oath in due form of law as follows to wit.

That he is about 50 years of age and
a person of African descent, That he knew
Lewis Fulson the applicant for citizenship
in the Choctaw Nation long prior to the
war of 1860-5 That the said Lewis Fulson
was the slave of Samson Fulson who was
a citizen of the Choctaw Nation by blood,
Affiant states further that the said
Samson Fulson lived Doxville Choctaw
Nation where Applicant was raised That the
said Samson Fulson moved from the above mentioned
place to Kimbsha County County where he and
applicant lived until the close of the war in 1865.

Affiant states further that he is a citizen of the
Choctaw Nation and his name appears on the
authenticated rolls of the same.

Witness

Henry ^{his} Ghalk.

A. E. H. H. H.

Subscribed and sworn to before me this
5th day of Sept. 1896.

H. L. Sango.

Notary Public.

My Commission expires Dec. 5th 1899.

4705
Application
of

Lewis Fulson.

v.

Robert Waller

Filed 9/2/96/

A. M. Jaraway

Secy

Fred. J. ...

Hold

Washington, D. C.

Before the undersigned authority
personally appeared Thomas Hawkins
and made oath in due form of law
as follows to wit. That he is about 45
years of age, that he belonged to
Gare Hawkins who was refused
from the Creek Nation to the Choctaw
Nation during the war of 1846. That he
knows Lewis Fulem the applicant for
Citizenship in said nation to be the
slave of James Fulem who was a
citizen of the Choctaw Nation by
blood. That the said Lewis Fulem
the Applicant for citizenship served
the said James Fulem until the close
of the war in 1846 and ^{was} set free from
the said James Fulem. Affiant states
further that the said Lewis Fulem
is personally and well known to him
applicant having married ^{his} sister
witness.
Thomas ^{his} Hawkins
mark

J. E. W. W. W.

Subscribed and sworn to before me
this 5th day of Sept. 1896
A. B. S. S. S.
Notary Public
My Commission expires Dec. 5th 1898.

End

Choc Fr 18

Copy of original
entry of Mary Bruner

Nov 1282

Mary Bruner

Choctaw Nation

Filed Sept 7-1896

A S McKinnon
Clerk

Filed

Forfeit
Aug 1896
Clerk

To the New Dawes Commission for the
Five Civilized Tribes. Your applicant Mary
Brunner represents to your Honorable Commission
that she is a colored woman, 38 years of age
that she is living in ~~Pontotoc~~ ⁱⁿ Chickasaw
Nation that she was held in slavery by one
Bill Wade, a Choctaw Citizen ^{by blood} that she was
held in slavery by the said Bill Wade till
the date of the Treaty of Fort Smith between the
United States & the Choctaw & Chickasaw Nations
that since her freedom she has lived in the Chickasaw
Nation having moved to the Chickasaw Nation
shortly after freedom. That she has ^{always} ~~accepted~~
all the rights & privileges of a Choctaw ^{in the Chickasaw Nation} ~~freeman~~
your applicant further states she was never
sold out of the Choctaw Nation. El claims her
Citizenship in the Choctaw Nation upon the 3^d
& 4th articles of the said Treaty. Your applicant
further states she is the mother of four
Children, ^{the following} ~~namely~~ Brunner aged 11 years, Isabella
Brunner aged 8 years, Aurilia Brunner aged 2
years, & Willie Brunner aged four months. Your
applicant Mary Brunner claims citizenship
for her ^{in said Nation} ~~four~~ children under the above acts.
El humbly pray your Honorable
Commission to enroll her & her four
Children as citizens of the Choctaw Nation
under said Treaty & sign on accept the attached
affidavits as proofs of the foregoing
facts.

Mary ^{her} Brunner

Subscribed & sworn to before me at
Hornum, Ark. this the 26th day of Aug. A.D. 1896

J. B. Chapman
Notary Public

In and for the Third Judicial Division
of the Indian Territory

To the Honorable Dawes Commission
for the Five Civilized Tribes.

In the matter of the
application of Mary Brumer for herself & children
for enrollment as citizens of the Choctaw Nation
under articles 3^d & 4th of the Treaty made at Ft. Warrick
in 1866 between the United States & Choctaw & Chickasaw
Indians

On this the 26th day of Aug A.D. 1896, per-
sonally appeared before me, the undersigned
authority, Mary Vollen, who first being duly
sworn according to law states on oath, My name
is Mary Vollen. My post office ~~is~~
Stonewall, La. I know Mary Brumer. I have
known her ever since she was born ^{about 38 years} ~~and~~ knew
her mother before Mary was born. She
was born a slave, her master's name
was Bill Wade a Choctaw Indian, by blood
Mary was never sold but lived with
her master Bill Wade until she was
set free. Shortly after freedom she moved
to the Chickasaw ^{Nation} & has lived there ever since
& has enjoyed all the rights & privileges
of a Choctaw freedman in the Chickasaw Nation
she is the mother of four children who
are now under her care & control. I
~~further state I have no interest whatever~~
~~in this application~~

Mary ^{her} Vollen
~~sworn~~

Sworn to and subscribed before me this
27th day of Aug 1896

J. C. Chapman

Notary Public
for the Five Civilized Tribes
of the Indian Territory

POOR ORIGINAL -
BEST AVAILABLE COPY

To the Honorable Dawes Commission
for the Five Civilized Tribes

In the matter of the
application of Mary Bruner for herself & ^{her} children
^{as citizens} of the Choctaw Nation under the articles
3^d & 4th of the Treaty made at Fort Smith in 1866.
between the United States & Choctaw & Chickasaw
Indians

On this the 26th day of Aug A.D. 1896
personally appeared before me the undersigned
authority Jaur Leader who being first duly
sworn ~~on oath~~ according to law state on oath.
My name is Jaur Leader. My post office is
Hornwall, La. I am a Chickasaw free man.
I know Mary Bruner. have known her ever since
she was born know her mother Pile Wade before
Mary was born. Mary Bruner was born in
LARRY her masters name was Bill Wade a
Choctaw Indian by blood. Mary was never
sold out of the Choctaw Nation, but lived with
her master Bill Wade till the emancipation
of all slaves held in LARRY by the Choctaw
Indians after her freedom. Mary moved
to the Chickasaw Nation & has lived there
ever since & has enjoyed all the rights &
privileges of a Choctaw free man in the
Chickasaw Nation she is the mother of
four children, who are ^{now} under her care &
control.

Jaur ^{her} Leader
~~sworn~~

Subscribed & sworn to before me at
Hornwall this the 26th day of Aug A.D. 1896

J. C. Chapman
Notary Public

In and for the Civil Judicial Division of the
Indian Country

Executive Office,

Choctaw Nation.

JEFF. GARDNER,
PRINCIPAL CHIEF.

Eagle Town

Ind. Ter., Sept 3 1896

The copy of application affidavit
& c in the case of Mary Bruner (African descent)
claiming citizenship before the Dawes Commission
under the treaty of 1866. is received to day

Jeff Gardner
P.C., C.N.

No.

—CLAIM OF—

Mary Bruner

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

H. W. Jernigan
Deputy

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mary Bruner.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence does not show that the applicant was ever registered as a Choctaw freedwoman.

There is no evidence to show that this claim has ever been disputed by the Choctaw Nation.

Mary Bruner.

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys.

End

Choc Fr 19

I do hereby do swear that I am
not interested in this claim and
that a true copy of the petition
and affidavits hereto attached
was sent to the governor
of the Cherokee Nation by Registered
Mail August 31st 1896.

Witness my hand and subscribed before
me this 8th day of September 1896

J. W. P. M. King
Notary Public

United States of America
Cherokee Nation
Indian Territory

To the Hon Commission to the
five civilized Tribes

Your Petitioner Lela Blue
would most respectfully submit to
your honorable body that she is
the daughter of a Choctaw ^{freed}
that her mother belonged to ^{the}
was a full blood Choctaw Indian.

Wherefore your petitioner would
respectfully ask that your honorable
body consider the evidence here with
held as it that she be enrolled
as daughter of a Choctaw freedman.

in presence of the will see proof - her

J. H. Dwyer
J. C. Clark

Lela, & Blue
make

Sworn to and subscribed before
me this 26th day of August 1896

J. A. McHenry is
Notary Public

United States of America
Chickasaw Nation
Indian Territory.

In the matter of the Claim of
Lila Blue to be enrolled as a
Choctaw freedman's daughter.

Lila Brown being by me
duly sworn in relation to the
affairs and Claim of Lila Blue
The facts as follows follow.

My name is Lila Brown I am
about 80 years old am a colored
woman come with the Chickasaws to
this country from Mississippi I know
Lila Blue. I know Lila Blue's
mother she was a slave and be-
longed to Bel Wade a Choctaw Indian
that she was here in the Choctaw Nation
when the war closed I am not true
to Lila Blue and have no interest
in the present this claim my Post Office is Ada St.

R. C. Brown

I, Clerk.

Lila ^{Blue} + Brown
mon

This 26th day of August 1896

Jos. W. McVingie
Notary Public

United States of America
Chickasaw Nation

~~Indian~~ Territory

In the matter of
the claim of Lila Blues
to be enrolled as a Choctaw
Freedmans Daughter. Jone Leader
being by me duly sworn
in relation to aforesaid claim
testifies as follows to wit,
my name is Jone Leader
I am 39 years old and am a colored
woman comes with the
Choctaw Indians to this country
from Mississippi I know Lila
Blues have known her ever since
she was a baby I know
Lila Blues mother she was
a slave and belong to Bill
Wade a Choctaw Indian she
was born in the Choctaw nation
when the war came and was
the property of Bill Wade when
she was freed I am no kin
to Lila Blues and have no interest
in her claim my P.O. is Stoneville

Supreme Ct.
of the
Chickasaw
N. H. Harrison

Jone Leader
mark

sworn to and subscribed before
me this 28th day of aug 1896

Jno A McKingie
Notary Public

#138

Lillie Blue

~~Chickadee~~

Train

Feb. 2 Sept 9-1896

A. S. McKinnon

Com

Wm. J. McKinnon

Call

Ada

W. J.

United States of America
Chickasaw Nation
Indian Territory

In the matter of the
claim of Lila Blue to be
enrolled as a Choctaw Indians
Daughter Betsey Blue being
duly sworn by me in relation
to said claim testifies as
follows to wit,

my name is Betsey Blue
I am 40 years old I am a colored
woman I know Lila Blue
have known her ever since
she was a baby I know Lila
Blue's mother she was a slave
and belonged to Bill Wade a Choctaw
Indian she was born in
the Choctaw nation when the
war closed and was the property
of Bill Wade a Choctaw Indian
Lila Blue is my niece is the
reason that I know so well
about her mother the Post Office
is Ada S. T. Betsey ^{Blue} ~~Blue~~

Subscribed
J. G. Clark

#138

Lillie Blev

~~Chickman~~

—

Madman

Filed Sept 9/896

A. S. McKinnon

Am

Woods, 109

Roll

Ada B.

sworn to and subscribed before
me this 28th day of August 1896

Geo A. Mearns
Notary Public

NO.....

—CLAIM OF—

Lila Blue,

For Chocaw Citizenship.

ANSWER.

*Filed Dec 9, 1896.
Stuart, Gordon & Hailey
seq.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Lila W. Blue.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence does not show that the claimant was in the~~
~~Choctaw Nation in the year 1866, nor that she is a registered~~
~~freedwoman.~~

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys.

End

chc FR 20

South McAlester, I. T. Sept. 5th 1896.
Received of J. P. Mullen papers purporting to be copies of
petition of Simon Beams for citizenship in the Choctaw Nation and
affidavits of E. D. Gilbert and Simon Beams to support said claim.

Stuart Gordon & Bailey
Attys for Choctaw Nation.

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Simon Beams
 for admission to citizenship in the Choctaw Nation.
 State of _____ }
 County of _____ } SS

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Simon Beams who, after being by me duly sworn, states:
 That he is 20 years of age, and a resident of the State of Choctaw Nation and County of Delaware and his post office address is South McAlester, D. T.
 that he is personally acquainted with Simon Beams who is an applicant for
 Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That his name is Simon Beams. That he is 20 years of age. That he is now residing in So. McAlester, D. T. Delaware County, Choctaw Nation. That he was born and has lived continuously in the Choctaw Nation all of his life. That his father was the late Joseph Beams a full blood Choctaw Indian, and who lived at Narshorne, D. T. all of his life and until he was killed in a difficulty near Narshorne, D. T. in 1893. Affiant further says that he is an admixture of negro and Choctaw blood, and is at least $\frac{1}{2}$ Choctaw blood. That he derives his Choctaw blood from his father the late Joseph Beams, a full blood Choctaw Indian. That his mother was Caroline Worcester and that she was a negro woman and was a Choctaw freed woman, her former master being a Choctaw Indian citizen. Affiant further says that he is recognized as a Choctaw citizen by blood.

Affiant further states: That he has known the said _____ for the past _____ years, and knows that _____ has been and is recognized by his neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said affiant indicate that he is of Choctaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Joseph Beams, he believes the said himself to be a descendent by blood of the Choctaw Indian tribe, and a lineal descendent of the said Joseph Beams.

Subscribed and sworn to before me this 4 day of Sept 1896
Simon Beams
Notary Public
 My Commission expires _____

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of E. D. Colbert
for admission to citizenship in the Choctaw Nation.

State of }
County of } SS

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared E. D. Colbert who, after being by me duly sworn, states:

That he is 63 years of age, and a resident of the State of Choctaw Nation and County of Jack Fork and his post office address is Shing Down, D. T.; that he is personally acquainted with Simon Beams who is an applicant for Citizenship in the Choctaw Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That he was personally acquainted with the late Joseph Beams and knew him intimately all of his life, and up and until his death which occurred about the year of 1893. That he was a full blood Choctaw Indian, and a member of the Choctaw Indian Tribe, and a citizen of the Choctaw Nation. Affiant further says that Simon Beams is the reputed son of the late Joseph Beams and Caroline Worcester, and that applicant derives his Choctaw blood from his father the late Joseph Beams who was a full blood Choctaw Indian, and the said Caroline Worcester mother of applicant was a Choctaw free woman. Affiant says that he is not related to either person or persons, and has no interest in the result of the case whatever.

Affiant further states: That he has known the said Simon Beams for the past 7 years, and knows that he has been and is recognized by his neighbors, acquaintances and the public generally as having Choctaw Indian blood, and that the complexion and physical appearance of the said Simon Beams indicate that he is of Choctaw Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Joseph Beams he believes the said Simon Beams to be a descendant by blood of the Choctaw Indian tribe, and a legal descendant of the said Joseph Beams.

Subscribed and sworn to before me this 4 day of Sept, 1896

My Commission expires.....

E. D. Colbert
NOTARY PUBLIC.

In the matter of
Simon Beams
Petition and memorial
for
Citizenship
In the Choctaw Nation, D. T.

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CARAWISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:— The undersigned, your petitioner, for and in behalf of and children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which claim is based are as follows, to-wit:

My name is Simon Beame, I am 20 yrs. of age. My P.O. address is So. McAlester, DeFueky County, Choctaw Nation, D. T. I am of a mixture of negro and Choctaw by blood, and about 1/2 negro and 1/2 Choctaw by blood. I am the son of the late Joseph Beame a Choctaw Indian who lived at Hartshorne, Gaines County, Ind. Terr. and the said Joseph Beame was killed near Hartshorne in a difficulty in 1893. My mother was the late Caroline Worcester, a Choctaw freedwoman and was owned by James and Annie Davis. James Davis was a white man and Annie Davis was a Choctaw Indian woman and the owner of the said Caroline Worcester. Caroline Worcester lived at Atoka, D. T. when she was made free. The Caroline Worcester was made free (either at Atoka, D. T. by the war of the rebellion, and she lived in the Choctaw Nation until her death in 1883. Annie Davis and Joseph Beame are dead. James Davis is living. Applicant has lived in the Choctaw Nation all of his life. He married Ella Jackson a descendant of a Choctaw slave and free woman namely: Angeline Crawford. I do not know the said Ella Jackson is 18 years of age. Applicant is the descendant of a Choctaw slave namely: Caroline Worcester. Applicant asks to be enrolled as a Choctaw Indian by blood, deriving his Choctaw blood from his father the late Joseph Beame.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

Affidavit of himself & E. D. Colbert.

and respectfully awaits the time and place when my application shall be heard and tried. Respectfully submitted,

Applicant.

NAMES. AGES. RELATIONSHIP.

Indian Territory.

District.

Personally appeared before me, the undersigned, a Notary Public within and for the and aforesaid who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

Subscribed and sworn to before me this the 4th day of Sept. 1896.

My commission expires on the day of 18....

Notary Public.

CALLIGRAPH BY THE PRINTER.

No 1264

IN THE MATTER OF

SIMON BEAMS

Petition and Memorial
FOR
CITIZENSHIP

In the CIOCTAW

Nation, I. T.

Filed Sept 7-1894

A S McKenna
Comm

checked
Frederick

A. McAlisten

No.....

—CLAIM OF—

Simon Beans.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1886.

M. W. J. [Signature]
[Signature]

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Simon Beans.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The petition alleges that applicant is an admixture of negro and Choctaw blood, and does not show that he is a Choctaw freedman, nor that he was here in the Choctaw Nation in the year 1866.

There is no proper proof of the marriage of the ancestors of the claimant.

Simon Beans.

By Wm. Choctaw Nation
Plunk & Gordon & Bailey
Its Attorneys.

End

Choc FR 21

Application of
Jimmie Blue
Sonnie Blue
Larkin Blue
Leahy Blue
James Blue
Princess Blue
for enrollment as
Citizens of the
Choctaw Nation

FILED SEPT. 9 1890

A. S. MCKENNON

COM'Y

True

C. B. Kamm Atty
for Applicants

APPLICATION FOR ENROLLMENT.

To the Hon. H.L. Daves, F.C. Armstrong, A.S. McKennon, T.B. Cabanas and A.B. Montgomery, United States Commissioners to the Five Civilized Tribes:-

The undersigned applicant, Jennie Blue for and on behalf of her self and family, make this their application to you for the purpose of being enrolled as Choctaw Freedmen entitled to Citizenship in the Choctaw Nation.

Applicant states that she is twentythree years of age and resides in the Chickasaw Nation near the town of Wynnewood, Indian Territory; that she is a Choctaw freedwoman of African descent, and was born on the Chickasaw Nation, and is a daughter of John Kemp and Malina Kemp, both of whom are Choctaw freedmen and were held in the Chickasaw Nation as slaves at the time of the treaty of Ft Smith when the Choctaw slaves ~~were set free, by Jackson Kemp a Choctaw Indian by blood.~~ were set free, by Jackson Kemp a Choctaw Indian by blood.

Applicant further states that her maiden name was Jennie Kemp and that she was married ~~to~~ about the year 1890 to Smith Blue, the son of Elijah Blue and Ellen Blue, both of whom are Chickasaw Freedmen and were held as slaves in the Chickasaw Nation at the time of the Treaty of Ft Smith when the Chickasaw Indians were set free, by Winchester Colbert a Chickasaw Indian by blood, and that by reason of said marriage and said union, there has been born unto them four children, whose names and ages are as follows: Latchie Blue and Leathie Blue whose ages are five years and James Blue, age two years, Prince Ella Blue age five months; all of said children are now living, and that her said husband, Smith Blue is now serving out at term of five years in the United States Prison at Leavenworth Kansas, under a sentence from the U.S. Court at Paula Valley Indian Territory, at the December term 1895.

Wherefore applicant prays that herself and her said children and her said husband be enrolled as Choctaw freedmen, or be placed on such other roll as your Honorable Commission may deem proper.

United States of America
Indian Territory
Southern District

On this the 27th day of August 1896 personally appeared before me A.S. Hatchkin, ~~XXXXXX~~ a notary public in and for the Southern District of the Indian Territory, Jennie Blue, who being by me duly sworn upon her oath states the facts set forth in the above application are correct and true. Subscribed and sworn to before me this the 27th day of August, 1896.

Notary Public in and for the Southern
District of the Indian Territory

AFFIDAVIT OF MALINA KEMP

Indian Territory
Southern District.

Before me the undersigned authority on this the 29th day of August 1896, personally appeared Malina Kemp, who after being duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: My name is Malina Kemp, my age about sixty years, my residence about one mile north of the town of Wynnewood, Ind. Ter., my husband's name is John Kemp, we are both Choctaw Freedmen of African descent, and were held as slaves in the Chickasaw Nation, Ind. Ter., at the time of the Treaty of Fort Smith, by Jackson Kemp, a Choctaw Indian by blood. I know Jennie Blue, she is my daughter and the said John Kemp is her father, she is about twenty three years of age, she has four children whose names and ages are as follows: Latchie Blue and Leathie Blue, ages five years; James Blue, age two years; and Prince Ella Blue, age five months. Her husband's name is Smith Blue a son of Eligan Blue and Ellen Blue, both of whom are Chickasaw Freedmen and were held as slaves by ~~Winnestup~~ ^{Smith} a Chickasaw Indian by blood, in the Chickasaw Nation at the time of the Treaty of Fort Smith. The said Smith Blue is now serving out a term in the United States Prison at Leavenworth Kansas.

Attest
C. J. Oxekin

M. Kemp
made

Subscribed and sworn to before me this the 29th day of August 1896.

C. J. Oxekin
Notary Public in and for the
Southern District of the
Indian Territory.

Southern District

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear
that on the 8 day of September, 1896, at the Post Office of Lynnwood
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Gardner, Governor of the Choctaw Nation at Tuskomoma, Indian
Territory. I examined said letter before it was mailed and found it to
be a correct copy of the application, to the Dawes Commission, for Citi-
zenship of Jennie Blue Smith Blue
Satchie Blue Leahy Blue James
Blue Priscella Blue
together with the affidavits of Malina Kemp

in
her

Post Office at <u>Wynne</u>	
Registered Letter	No. <u>134</u>
Parcel	Rec'd. <u>Sept 5</u>
of	<u>Sept 5</u>
addressed to	<u>Gov Jefferson Gardner</u>
	<u>Tuskomoma Okla</u>
	<u>A. B. Lee</u>
	<u>P. M.</u>

Registry receipt No. WAS. G. K. E. A. N.
Receipt for said letter.

Frank L. Robinson
I am this the 8 day of September, 1896
W. H. H. H. H. H.
Notary Public, Southern District, I. T.

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear
that on the 8 day of September, 1896, at the Post Office of Immard
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-
tio attached, mail a registered letter to
Jef Nation at Tuskomma, Indian
Ter it was mailed and found it to
be the Dawes Commission, for Citi-
Smith Blue
by Blue James
Malina Kemp
try receipt No was given
receipt for said letter.
Frank L. Robinson

Subscribed and sworn to before me this the 8 day of September, 1896
Alexander
Notary Public, Southern District, I.T.

Southern
District

Reship of William Allen Smith
Swedish Born Legally Blue-James
Blair, Princess (Blair)
together with the affidavits of William Kemp

Registry receipt No. WASH. 1111111111
receipt for said letter.

Frank T. Robinson

I me this the 8 day of September, 1896

W. B. Lee

Notary Public, Southern District, I.I.

REGISTRY RECEIPT.

Post Office at Wynn
Registered Letter Parcel No. 36 Rec'd St. 1896
of Lyons G. Reid
one letter
addressed to Gov Jefferson Gardner
Oklahoma City
W. B. Lee P.M.

in
her

7

NO.....

CLAIM OF
Jennie Blue et al

For Choctaw Citizenship.

ANSWER.

*Filed Oct 9, 1896.
The Peaway
seej.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Jennie Blue et al

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

In this case service was not had on the Choctaw Nation until the 11th day of Sept. 1896.

The Choctaw Nation
By Stuart Gordon Bailey
Its Attorneys.

End

Choc FR 22

Application of
Emily Kemp
Ples. Kemp
Madrid Kemp
Alta Kemp
Arden Kemp
Eric Kemp
Ira M. Kemp
for enrollment
as Citizens of the
Choctaw Nation

Wynnewood, D. T.
P. S. Kemp Alta
for Applicant

Wynnewood, D. T.
P. S. Kemp Alta
for Applicant

APPLICATION FOR ENROLLMENT

To the Hon. H. L. Dawes, F. C. Armstrong, A. S. McKennon, T. B. Cabanis, and A. D. Montgomery, United States Commissioners to the Five Civilized Tribes:-

The undersigned applicant, Emily Kemp, for and on behalf of herself and children, make this their application to you for the purpose of being placed on the roll of Choctow Freedmen entitled to citizenship in the Choctow Nation.

Applicant states that she is about thirty four years of age and resides in the Chickasaw Nation near the ~~town of Wynnewood, Ind. Ter.~~ town of Wynnewood, Ind. Ter.; that she is a Choctow Freedwoman of african decent; that she was born in the Chickasaw Nation and was held as a slave by ~~the~~ Jackson Kemp, a Choctow Indian by blood, in the Chickasaw Nation at the time of the Treaty of Fort Smith when the Choctow slaves were set free; that she is a daughter of John Kemp and Malina Kemp, both of whom are Choctow Freedmen ~~and~~ of african decent, and who were held as slaves by the said Jackson Kemp at the time of the said Treaty of Fort Smith.

Applicant further states that she is the mother of six children that are now living, and whose names and ages are as follows: Flos Kemp, age eighteen years; Madred Kemp, age thirteen years; Alta Kemp, age eleven years; Arden Kemp, age nine years; Inie Kemp, age five years; Ira M. Kemp, age one year.

Wherefore, applicant prays that herself and her said children be placed on the roll as Choctow Freedmen, entitled to citizenship in the Choctow Nation and for all other proper relief.

Emily Kemp

Indian Territory
Southern District.

On this the 26th day of August 1896, personally appeared before me, A. S. McKennon, a notary public in and for the Southern District of the Indian Territory, Emily Kemp, who being by me duly sworn upon her oath states that the facts set forth in the above application are correct and true. Subscribed and sworn to before me this the 26th day of August 1896.

A. S. McKennon
Notary Public in and for the
Southern District of the
Indian Territory.

Southern
District

AFFIDAVIT OF MALINA KEMP

Indian Territory
Southern District.

Before me the undersigned authority on this the 22nd day of August 1896. personally appeared Malina Kemp. who after being duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: ~~that~~ My name is Malina Kemp. my age about sixty years. my residence about one mile north of the town of Wynnewood. Indian Territory. my husband's name is John Kemp. we are both Choctaw Freedmen of African descent and were held as slaves in the Chickasaw Nation at the time of the treaty of Fort Smith when the Choctaw ~~slaves~~ slaves were set free. by Jackson Kemp. a Choctaw Indian by blood. I know Emily Kemp. she is my daughter. and the said John Kemp is her father. she is about thirty four years of age and was held as a slave by the said Jackson Kemp at the time of the said Treaty of Fort Smith. she is the mother of six children that are now living and whose names are as follows: Fles Kemp. Madred Kemp. Alta Kemp. Arden Kemp. Inie Kemp. Ira Kemp. The said Emily Kemp and her said six children are now living in the Chickasaw Nation near the town of Wynnewood. Ind. Ter.

Attest
J. H. B. H. H. H.

Subscribed and sworn to before me this the 22nd day of August 1896.

Malina Kemp
Ind.

J. H. B. H. H.

Notary Public in and for the
Southern District of the
Indian Territory.

Southern District

Indian Territory
Southern District

I, _____ do solemnly swear, on this the
8 day of September, 1896, at the Post Office of Wynnewood
Indian Territory, I saw Cyrus S. Year, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Hardner, Governor of the Republic of Texas, at Washington Indian
Territory. I examined said letter before it was mailed and found it to
be a correct copy of the application, to the Laws Commission, for Citi-
zenship of Emily Kemp, Plez Kemp, Mod-
rid Kemp, Althe Kemp, Ardian Kemp
Amelia Kemp, Ida M. Kemp
together with the affidavits of Malina Kemp

in support
ed was giv

Subscrib
Southern
Dist

REGISTRY RECEIPT.	
Post Office at <u>Wynnewood</u>	Rec'd. <u>Sept 8</u> 1896
Registered Letter Parcel	No. <u>135</u>
of <u>Cyrus S. Year</u>	
of <u>One letter</u>	
addressed to <u>Gov. Jefferson Hardner</u>	
<u>Washington Indian Territory</u>	
<u>H. C. Lee</u>	P. M.

No. 135 hereto attach-

J. Robinson
day of September, 1896.
J. H. Robinson
Southern District, I.T.

Indian Territory
Southern District

I, _____ do solemnly swear, on this the
8 day of September, 1896, at the Post Office of Wynnewood
Indian Territory, I saw _____ Attorney for the applicants men-
tioned
Jefferson
Territory
be a com-
monsense
citizenship
and
together
in support
ed was given

It is registered letter to
one, at Blackfoot Indian
Territory and found it to
be a commission, for Citi-
zenship
Camp Mod
Miller Camp
Camp
Camp
No 195 hereto attach-

Frank L. Robinson

Subscribed and sworn to before me this the 8 day of September, 1990.

Southern
District

closed to the application for a letter to
Jefferson, and that, together with the letter to
Jefferson, I received a letter from the office and found it to
be a receipt copy of the application, to the same commission, for citi-
zenship of Cornelia Clark, 170 2nd Street, Wash-
ington, D.C. Edith Clark, 170 2nd Street, Wash-
ington, D.C. John Clark, 170 2nd Street, Wash-
ington, D.C. William Clark, 170 2nd Street, Wash-
ington, D.C.

RECEIVED
SEP 8 1896

Subscribed
by
X 121

REGISTRY RECEIPT.

Post Office at Washington

Registered Letter No. 135 Rec'd Sep 8 1896

of Wynne G. Kean

One letter

addressed to John G. Johnson Gardner

Washington D.C.

H. C. Lee P.M.

of September 10, 1896.

H. C. Lee

Western District, D.C.

NO.

CLAIM OF

PAID TO

FOR CHOICE OF MEMBERS.

ANSWER.

*Filed Oct 9, 1871.
Wm. H. Keenan
Com.*

STUART, GORDON & HALEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Emilio K. K.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

11. This case should be put off until the 11th day of Sept. 1891.

The Choctaw Nation
By *Stuart, Gordon & Bailey*
Attorneys.

End

Choc FR 28

Indian Territory, :
:
Central District. : .

(1)

E. B. Beer, having first been duly sworn according to law, on his oath says; that he is one of the attorneys of the within named applicant, ^{Cotton} ~~Thomas LeCharles & Leno~~; that on the 8 day of September, 1896, affiant deposited in the U. S. Post Office at Antlers, Indian Territory, a true copy of the within application, enclosed in one envelope addressed to Jefferson Gardner, Governor Choctaw Nation, Eagletown, Indian Territory, the post office address of said Jefferson Gardner; that said envelope was duly registered, and the postage fully prepaid upon the same, and that said Jefferson Gardner was then and there and now is, the Governor of said Choctaw Nation.

Subscribed and sworn to before me this ^{8th} day of September, 1896.
E. B. Beer
John F. Clark, Notary Public

Indian Territory, :
Choctaw Nation, :
Red River County, :

Thomas Cotton, Charles Cotton, and Lena Cotton, having first been duly sworn according to law on their oaths say, each for himself; that they are of African and Choctaw Indian descent, that they are the children of Thomas Cotton a negro and Ann Cotton, his wife, who was the daughter of Henry Field, who was a half breed Indian his son of William Field a full blood Choctaw Indian, and his wife who was a negress; that the said Henry Field was duly registered by the board appointed by the Governor of the Choctaw Nation, for the purpose of registering all persons of African descent, entitled to the benefit of the Act approved May 21st 1883, relating to persons of African descent, to be found on page 335 of the laws of the Choctaw Nation, compiled by A. R. Lurant.

Wherefore affiants ask that their names be placed on the roll of citizens of the Choctaw Nation, to be prepared and compiled by the Commission, known as the Dawes Commission, authorized to that purpose by Act of Congress.

Thos Cotton
Chas Cotton
Lena Cotton

Subscribed and sworn to before me this 4th of September, 1896.

W. A. Shively
Co. Clerk
Red River Co. N.

Choctaw Nation, :
:
Red River County, :

H. C. Harris and Ed. Harris, having first been duly sworn according to law, on their oaths say each for himself, that they are well acquainted with the above named affiants Thomas Cotton, Charles Cotton and Lena Cotton, and that the facts set forth in their foregoing affidavit are true.

H. C. Harris
Ed. Harris

Subscribed and sworn to before me this 4th day of September,

1896.

A. Q. Shoney
Co. Clerk, Red River Co. C. N.

4114

Thomas Cotton
Charles Cotton
and
Lana Cotton

Application
for
Citizenship
Choctaw

Filed Sept 7, 1896

W M Keenum
Clerk

Attorneys

John C. Anderson

No. _____

CLAIM OF

THOMAS GIBSON, ET AL.

For Choctaw Citizenship.

ANSWER.

FILED OCT. 22 1896

H. M. JACOWAY,

SECRETARY-

SEWARD, GORDON & HAILEY,
Attorneys.

IN THE COURT OF THE CHIEF OF Thomas Cotton et al.
The Cherokee Nation.

THE CHIEF OF THE CHEROKEE NATION BY HIS LAWFUL ATTORNEYS SAYS:

That this Court has no jurisdiction to hear and determine the issues herein involved because the Commission is unconstitutional and void.

That the Cherokee Nation enters its protest against the Commission because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and error and are in violation of the mode of trial prescribed by said Commission and the Constitution and laws of the United States.

That the Cherokee Nation protests against the Commission for the reason that the trial prescribed by this Commission is in violation of the Constitution and laws of the United States and is a denial of justice.

That the Cherokee Nation protests against the Commission for the reason that it does not have jurisdiction to hear and determine the issues herein involved for citizenship to the Cherokee Nation is not applied for citizenship to the Indian Commission and is not applied for citizenship to the Indian Commission.

That the Cherokee Nation protests against the Commission for the reason that it does not have jurisdiction to hear and determine the issues herein involved for citizenship to the Cherokee Nation is not applied for citizenship to the Indian Commission.

That the Cherokee Nation protests against the Commission for the reason that it does not have jurisdiction to hear and determine the issues herein involved for citizenship to the Cherokee Nation is not applied for citizenship to the Indian Commission.

That the Cherokee Nation protests against the Commission for the reason that it does not have jurisdiction to hear and determine the issues herein involved for citizenship to the Cherokee Nation is not applied for citizenship to the Indian Commission.

That the Cherokee Nation protests against the Commission for the reason that it does not have jurisdiction to hear and determine the issues herein involved for citizenship to the Cherokee Nation is not applied for citizenship to the Indian Commission.

The evidence fails to show that these claimants were here at the time of the Treaty of 1836.

This claim was received by Gov. Gardner on September 23rd, 1890, and therefore not entitled to consideration.

The Cherokee Nation
By Stuart Gordon Bailey,
Its Attorneys.

End

Case FR 24

To the Hon. Secy of the
Interior
Washington D.C.
The undersigned
has the honor to
acknowledge the receipt of
this application
and to inform you
that the same
has been forwarded
to the
proper authorities
for their consideration
and that the same
will be acted upon
as soon as possible
and that the same
will be reported
to you as soon as
possible.

Very Respectfully
Yours,
Wm. H. Smith.

To the Honorable Dawes Commission,
VINITA, INDIAN TERRITORY:

Henry Perry Et Al.,
Choctaw Tribe or Nation of Indians

Norton Perry, after being first duly sworn, deposes and says, that he is *67* years of age and resides near *Parcell*, Indian Territory, and that he knows *Henry Perry* the father of *Henry Perry* and that he was formerly a slave under *Lawman* a *Choctaw* Indian of the *Choctaw* Nation and that his wife is *Blanch Perry* and that he has resided in the *Choctaw* Nation since his birth.

Norton Perry

J. E. Coale

Subscribed and sworn to before me this *4* day of *Sept*, 1890.

Notary Public.

To the Honorable Dawes Commission,
VINITA, INDIAN TERRITORY:

Henry Perry Et Al.,
Choctaw Tribe or Nation of Indians

Henry Perry, after being first duly sworn, deposes and says, that he is *67* years of age and resides near *Parcell*, Indian Territory, and that he knows *Henry Perry* the father of *Henry Perry* and that he was formerly a slave under *Lawman* a *Choctaw* Indian of the *Choctaw* Nation and that his wife is *Blanch Perry* and that he has resided in the *Choctaw* Nation since his birth.

J. E. Coale

Subscribed and sworn to before me this *4* day of *Sept*, 1890.

Notary Public.

VINITA AND

$$\begin{aligned} \frac{1}{\text{d}t} \frac{\text{d}Q}{\text{d}t} &= \frac{1}{\text{d}t} \left(\frac{\text{d}Q}{\text{d}t} \right)_{\text{pass}} + \frac{1}{\text{d}t} \left(\frac{\text{d}Q}{\text{d}t} \right)_{\text{loss}} \\ \frac{1}{\text{d}t} \frac{\text{d}Q}{\text{d}t} &= \frac{1}{\text{d}t} \left(\frac{\text{d}Q}{\text{d}t} \right)_{\text{pass}} + \frac{1}{\text{d}t} \left(\frac{\text{d}Q}{\text{d}t} \right)_{\text{loss}} \end{aligned}$$

[Handwritten signature]

PERTINENT

H. F. J.
 Petition
 30
 age,
 of African descent and that
 he is a free man and is the son of Lawrence
 and Mary Jones by whom he was born
 on 13 March 1872 (U.S. Citizen and
 that he has been in the U.S. since his
 birth.

[illegible]

...in the treaty of Fort Smith, made on April 2nd 1861.

Where do you find the names of the persons placed on the roll of Choctaw Indians and other tribes?

..... is solemnly sworn that the above and foregoing facts are true as
 truly believe.

Submitted and accepted: 12 June 2006

146 ... 1896

My Public.

NO.

CLAIM OF

ANSWER.

722 W. 11th St.

St. Paul, Minn.

Dec.

STUART, GARDEN & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the applicant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein

The Choctaw Nation
Shank Gordon & Bailey
Attorneys

REGISTRY RECEIPT.

Post Office at Kenosha W. V.
Registered Letter Parcel No. 74 Rec'd Sept 5 1896.
of S. J. Ellis

addressed to Gov. Gardner
Capleton W. V.
J. H. Bridges P. M.

3215)

Autumn Moon

Choctah

Filed Sept 19. 1896

A. M. McHenry
Cm

Emet

JP

Emet Ind. Terr.
I Myrtle Burton do solemnly
swear that on the 5th day of
Sept. 1896. I saw a package
registered at the Post office at
Emet Ind. Terr. addressed to
Gov. Gardner Egleston Gov of the
Choctaw Nation Ind. Terr.
That registry receipt No. 74 received
from Post master, hereto
attached, is a receipt for said
package, which contained true
copies of the application of
Beaton A Moore and of the
affidavits of Lotie Filmore
Benoon W Moore and
Lena Perry in support of
same

Myrtle Burton.
Subscribed and sworn to
before me 5th day of Sept 1896
O. F. French.
Notary Public
My Commission expires Nov 16-98

End

Chuc FR 25

7084

Wang, Blary

v.

Edward Cheliam

FILED SEPT. 8

A. S. McKENNON

COM'R

To be corn out
with ordinary
rule

Wynnewood, D. S.

Original

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes
in the Indian Territory:

Your petitioner, *Mary Clark*, undersigned, respectfully states that ~~she~~ *he* is a ~~descendant of Choctaw Indian~~ *Indian by blood*, and asks to be enrolled as a member of the ~~Choctaw~~ *Choctaw* Nation of Indians in the Indian Territory. That ~~he~~ *she* derives from said Indian ~~that her mother Nancy Hamilton was a slave owned by R. M. Jones who was a Choctaw~~ *Indian by blood a recognized member of the tribe and resided in the Choctaw Nation and moved from there to the Chickasaw Nation. That said Nancy Hamilton was set free by proclamation and treaties and has ever since resided in the Chickasaw Nation*

~~Copy~~ Your petitioner states the above facts as the lawful grounds of ~~her~~ *her* application for citizenship in the ~~Choctaw or Chickasaw~~ *Chickasaw* Nation, and prays that ~~her~~ *her* claim may be fully investigated by your Honorable Commission and that ~~she~~ *he* be adjudged to be a citizen of said ~~Choctaw or Chickasaw~~ *Chickasaw* Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is *28* years. My Post Office address is *Wynnewood S. T.*
My family consists of the following named persons: My ~~husband~~ *husband*, *H. B. Clark* and children, as follows:
Fred D. Clark son aged *12* years
Agnes Clark daughter aged *4* years
Lettie Bell Clark daughter aged *2* years
aged years
aged years
aged years

Indian Territory } ss
Southern District } *I. Elmer G. Williams do*
I solemnly swear that on the 3rd day of September 1896, I saw a package registered at the post office at Wynnewood, Ind. Ter., addressed to Governor of the Choctaw Nation, Ind. Ter., that registry receipt No. ... hereto attached is a receipt for said package which contained true copies of the application of Mary Clark and of the affidavits of Seneca Kemp in support of same *Elmer G. Williams*

Subscribed and sworn to
before me on this 5th day of September 1896
David Williams
Notary Public

Original

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes
in the Indian Territory:

Your petitioner, Mary Clark, undersigned, respectfully
states that ~~he~~ ^{she} is a ~~descendant of Choctaw~~ ^{Indian} ~~Indian by blood~~, and asks to be enrolled as a member of the
~~Choctaw~~ Nation of Indians in the Indian Territory. That ~~he~~ ^{she} derives it ~~from~~ ^{from} said Indian
~~that her mother Nancy Hamilton was a slave owned by R. M. Jones~~
~~who was a Choctaw~~ Indian by blood ~~a recognized member of the tribe~~
and resided in the Choctaw Nation and moved from there to the
Chickasaw Nation. That said Nancy Hamilton was set free
by proclamation and treaties and has ever since resided
in the Chickasaw Nation

~~Choctaw~~ Your petitioner states the above facts as the lawful grounds of ~~her~~ ^{her} application for citizenship in the
~~Choctaw~~ Nation, and prays that ~~her~~ ^{her} claim may be fully investigated by your
Honorable Commission and that ~~she~~ ^{she} be adjudged to be a citizen of said ~~Choctaw or Chickasaw~~
Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with
the laws and treaties with said Nation of Indians.

My age is 28 years. My Post Office address is Hymnwood S. T.
My family consists of the following-named persons: My ~~husband~~ ^{husband} H. B. Clark and children, as follows:
Fred D. Clark son, aged 12 years.
Agnes Clark daughter, aged 4 years.
Little Bell Clark daughter, aged 2 years.
_____, aged _____ years.
_____, aged _____ years.
_____, aged _____ years.
_____, aged _____ years.
_____, aged _____ years.
_____, aged _____ years.

WITNESS my hand this 4 day of August, 1896.
Attest D. Williams Mary X. Clark
her
man

Indian Territory
Southern District } ss.

Personally appeared before me, the undersigned authority, Mary Clark
to me known to be the petitioner in the above petition, who being by me first duly sworn, upon ~~her~~ ^{her} oath
says that ~~she~~ ^{she} is the petitioner in the above petition, that ~~he~~ ^{she} has read (or heard read) the said petition,
and that the facts stated therein are true, as ~~she~~ ^{she} verily believes.

Attest D. Williams Mary X. Clark
man

Subscribed and sworn to before me at Hymnwood Ind Ter
this 4 day of August, A. D. 1896.

David Williams
Notary Public

Indian Territory } S.S.

Southern District }

Be it remembered that on this 4th day of August 1896, personally appeared before me Lena Kemp a resident of the Chickasaw Nation, Indian Territory, who is a reliable and creditable resident of Pontotoc County, Chickasaw Nation, Ind Ter, and who after being duly sworn according to law, depose and says: - That she is a resident of Pontotoc County, Chickasaw Nation Indian Territory, that her age is 51 years, a farmers wife, that her post office is Wynnewood, Ind Ter, that she is personally and well acquainted with Nancy Hamilton and her daughter Mary Clark, That said Nancy Hamilton and myself were raised together. That said Mary Clark is known to me to be the daughter of Nancy Hamilton who was a slave owned one R M. Jones a Choctaw Indian by blood, and a recognized member of the Choctaw tribe of Indians, that I have known said Nancy Hamilton and her daughter Mary Clark ever since the birth of the latter.

Attest J. Williams

Lena ^{her} Kemp
mark

Sworn to and subscribed before
me this 4th day of August 1896
David Williams
Notary Public

NO.....

CLAIM OF

Mary Clark, et al.,

For Choctaw Citizenship.

ANSWER.

*Filed Oct 9, 1896.
H. W. Jacobson,
per*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Mary Clark, et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

Service was not had until the 10th of September, 1896.

The Choctaw Nation
By *Robert Gordon McKinney*
Its Attorneys.

End

Choc KR 26

Richard Cochran
Application of
Shelton Furman

Officer

Original

11th 1846
I the undersigned Commissioner
do hereby certify that I am
acquainted with Richard Cochran
that he is the child of Nathan
Cochran and Sarah (last)
and married woman who
belonged to N. Cochran before
he was of the rebellion and was
in the South when that was
the date of the making of it
and to the said R. Cochran
I am now acquainted as
Cochran the said Richard
Cochran married registration
when the Charleston freedman
was enrolled on account of
living a considerable distance
from the place of registration
and not being able to read
did not understand the condition
well enough to take advantage
of the opportunity.

W. H. Cochran

Subscribed and sworn to before me
this the 11th day of August 1846
J. C. Chapman
Notary Public

application of
Richard Cookman
Under Secretary

Affidavit of
Almon H. H. H.

Original

Carter J. T.

Aug 15/1846

To whomsoever these

may concern
I herby certify that
I am personally well
acquainted with Freeman,
and Lily Cochran,
both of whom are children
of Richard and Elsie Cochran
of ^{this} Newberry
A. C.

Subscribed & sworn to
before me this 15th day
of Aug 1846

J. M. Huggins
Notary Public

Apparition of
Richard Coelean
Choctaw Freeman

Affidavit

Original

Ante J. I. Aug 17/96

I do certify that I
am acquainted with
Elsie Cochran who is
a wife of Richard Cochran
That she is a daughter
of King Blue a Chickasaw
Indman.

A. P. Harrison

Subscribed & sworn
to before me this 17th day
of Aug 1896

J. M. King
Notary Public

application of
Richard Cochrane
Charles F. F. F.

affidavit of
service

Southern District
Indian Territory

On this 1st day of Sept 1896 before me
a duly commissioned Notary Public in & for
the Southern District Indian Territory
appeared J. M. King and after being
duly sworn upon oath states:

That he has this day received from
the Governor of the Choctaw Nation
at Tuscaloosa Ala. a True
and correct copy of the petition
and affidavits in the case of
Richard Cochran - Choctaw prisoner
Signed this above day & year -

J. M. King

Subscribed & sworn to before
me this 1st day of Sept. 1896
Mount Morris
Notary Public

~~Application~~ of
Richard Cochran
Charlotte Freeman

Petition

Filed Sept 4-1844
A S McKinnon
Clerk

Freeman.

Original

United States of America Indian Territory
The Hon. Henry L. Dawes Chairman
Dawes Commission Santa Fe

Yours petitioners the undersigned being duly
sworn upon oath state:

That his name is Richard Cochran age 36
years, post office address is Center Ind. Ter.
and that he is a Choctaw Freedman and
entitled to be enrolled as such for the
following reasons to wit:

That he belonged to R. L. Cochran an
Choctaw Indian and is a son of Nathan
and Sophia Clarke both of whom
were slaves of said R. L. Cochran

That at the time of the Ft Smith act
he was in the Chickasaw Nation and
being illiterate & not following any field
to have his name enrolled as a Choctaw
Freedman.

That his family and
relationship consists of the following
named persons - My wife Elsie
Cochran age 30 years, and two children
as follows, Freeman Cochran age 3
years, and Lily Cochran age
6 months, And respectfully ask
to be enrolled together with each member of his
family as Choctaw Freedman in the

Indian Territory.

Yours petitioner states the above facts
as the lawful grounds of his application
for enrollment as a Choctaw Freeman,
and prays that his claim may be investigated
and that he be adjudged a Choctaw
freedman, and entitled to all the
rights and privileges pertaining to such
freedmen in accordance with the
laws & treaties made with said tribe
of Indians for the benefit of said
freedmen.

Witness my hand this 17th day of
Aug 1896

Richard ^{his} Lockman
Morse

Subscribed & sworn to before
me this 17th day of Aug 1896
J. M. King
Notary Public

~~Application~~ of
Richard Cochran
Charlotte Freeman

Petition

Filed Sept 4-1844
A S McKinnon
Clerk

Frederickson.

Original

NO.....

CLAIM OF.....

By.....

For.....

ANSWER.

Filed Oct 14, 1901.
H. H. Peacock
Key.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Richard Cook

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence fails to show that the applicant is a
Registered Choctaw Freedman, and the proof is insufficient to show
that he was former Choctaw slave.~~

~~That there is no evidence that this claim has ever
been approved by the Choctaw Nation.~~

The Choctaw Nation
By *Stuart Gordon & Hanley*
Its Attorneys.

End

Choc Fr 27

Application of
Josephine Cochran
Choctaw Freeman

Affidavit of
Service

Indian Territory
Carter District }

On this 1st day of Sept. 1896 before me a
Notary Public in & for
Carter Dist Indian Territory - personally
appeared J. M. King. And after being
by me duly sworn upon oath states:

That he has on this day mailed
to the Governor of the State
at Puskatone Id.

a true & correct copy of all
the papers including petition and
affidavits in the case of
Josephine Cochran a Chinese
prisoner

and the 1st day of Sept 1896

J. M. King

Mount Morris

Subscribed & sworn to before me
this 1st day of Sept 1896

Adoption of
Josephine Cookman
Charlotte Friedman.

affidavit

original

Southern Dist
Indian Territory }

Before me J. M. King a duly
commissioned Notary Public
in & for the Southern Dist Ind. Ter.
personally appeared

Harriett Taylor who after
being duly sworn states:

That her age is 30 years
her post office address is
Cecil St. and that she is
Chickasaw Freedman and that she
used to belong to Old man Foubelly
a Chickasaw Indian -

and that she is personally acquainted
with Josephine Cochran and has
known her ever since she was born
that she is a daughter of Nathan
and Sophie Cochran both of whom
are Choctaw Freedmen - That

said Josephine Cochran is 20 years of
age and has two children as follows

Eliza Brown, 3 years old Odell Brown
one year old.

Harriett Taylor
subscribed

Subscribed & sworn to before me this
19th day of Aug 1896

J. M. King
Notary Public

Application of
Josephine Graham
Chocoma Jendman

Affidavit

Original

Letter II, Aug 21st 1896
South Dist.
Indian Territory }

On the 21st day of Aug.
1896 personally appeared before
me a duly Commissioned Notary Public in
& for South Dist. Ind. Ter. Lemuel
Wilson, and after being duly sworn
states that his name is Lemuel
Wilson, age is 28 years and
that his post office is Stone Wall St.
and that he is a Chickasaw Indian
That he is personally well acquainted
with Josephine Cochran a colored
woman and that she is a
daughter of Nathan and Sophia Cochran
who are to Octave Fordman - and
and that said Josephine Cochran
has two children one by the name
of Eliza Brown ^{also known as} and the other name is
Odell Brown who is about one year
old
Lemuel Wilson

Subscribed and sworn to
before me this 21st day of
Aug 1896
J. McKim
Notary Public

Application of
Josephine Cochran
Choctaw Freeman

Petition
#807

Josephine Cochran
as

Choctaw Native

Filed Sept 4th 1896

A. S. McHenry
Comm_{rs}

P.O. Center St.

Original

United States of America Just Per
To the Hon Henry L Davis Chairman
of the Senate Commission at Vicksburg MS
Your petitioner Josephine
Cochran after being duly
sworn states: That her name
is Josephine Cochran and that
her age is 20 years and her
post office address is Cedar MS
and that she is a daughter of
a Choctaw freedman and entitled
to be enrolled as such for the
following reasons to wit;

That she is a daughter of
Nathan and Sophie Cochran
who were slaves of R L Cochran
a Choctaw Indian

That her family consists of
two children as follows

Eliza Brown who is 3 years old
and Odell Brown who is
one year old.

And respectfully asks that
she together with her two
children Eliza, & Odell Brown
be enrolled as Choctaw
freedmen in the Indian Territory

Your petitioner states
the above facts as the ~~untrue~~
grounds of her application
for enrollment and prays that
her claim may be investigated
and that she with her children
be adjudged Choctaw freedmen
and shall ever pray
Witness my hand this 19th
day of Aug 1896

Subscribed & sworn to before
me this 19th day of Aug 1896.
Josephine ^{his} Costen
Notary Public

NO.

CLAIM OF

ANSWER.

*Filed Oct 9, 1896.
Attest
S. G.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Josephine Gordon

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The evidence in this case is insufficient to establish the right of claimant.

The Choctaw Nation
By Stuart Gordon & Hailey
Attorneys.

End

Chuc FR 28

application of
Maudy Collier et al.
Choctaw Indians

Affidavit

original

Hammond, Ind.
Aug 11th 1866.

To the Hon. Land Commission
Ind. 911

I hereby certify that I am
acquainted with Mandy
Coker a woman who belongs
to R. & Cochran before the
time of the rebellion and
I know that said R. & Cochran
and formerly are recognized
as Choctaws and
Mandy Coker was in the
Chickasaw Nation before and
at the date of the treaty at
H. Smith's Son of Mandy
Coker missed registration
when the Choctaw freedmen
were enrolled on account of
living a considerable
distance from the place of
Registration and not
being able to read did not
understand how to take
advantage of her opportunity
W. L. Cochran

Subscribed and sworn to before me
this 11th Day of August 1866
J. C. Chapman
Notary Public

Application of
Murray Cohen
Charles Friedman

Affidavit of
Service

Indian Territory }
Southern District }

On this 1st day of Sept. 1896 before
me a duly commissioned Notary Public
in & for the Southern Dist. Ind. Terr.
appeared J. McKing and after being
duly sworn upon his oath states:
That he has this day mailed to
the Governor of the Choctaw Nation
at Tuskehombey D.C. a copy
of all the papers including petition
and affidavits in the case of
Maudy Cohen Choctaw Freedman
Signed this above day & year

J. McKing

Subscribed & sworn to before me
this 1st day of September 1896
Mount Morris
Notary Public

Application of
Mandy Coheal
Charlotte, Me.

affidavit

Original

Southern District
Indian Territory

On this the 15th day of Aug 1896
before me a duly Commissioned Notary Public
in and for the Southern District and they
appeared in person and after
being duly sworn upon oath stated
that his name is Ahrow Newberry
that his age is 61 years and that
his post office address is Ada D.S.
that he is a Chickasaw Indian by blood
and recognized as such in the
Chickasaw National that he is personally
well acquainted with Birdy and
Marysall Cohee whose ages are
18 and 16 years respectively that they are
both children of Mandy Cohee
nee Mandy Cochran who is a daughter
of Nathan and Mary Cochran both
of whom prior to the year of 1861
were slaves of N.K. Cochran a
Choctaw Indian

Ahrow^{his} Newberry

Subscribed and sworn to before me
this 15th day of Aug 1896

J. M. King
Notary Public

W. L. POOLE, Postmaster.

A. L. POOLE, Asst. P. M.



DURANT, IND. TER.

189.

Mr. J. H. Durant, Chm.
Durant, Ind. Ter.

I enclose affidavit
and receipts, showing
that two copies of our applications
etc have been sent to, and
used by the Gen. Chf. Clerk.

It was not possible to
get a "disinterested" person to
make this affidavit as none
was present at the time of
signing the letter.

As this is not sufficient
please return all our papers at
once so we may make copy and
send to Chief again. Res. W. H. Marcum

Application of
Mandy Cohee
Cherokee Freedman

806

Petition

Mandy Cohee
vs
Choctaw Nation

Filed Sept 4th 1896
A. S. McKinnon
Clerk

At Court S. F.

(Original)

United States of America Indian Territory,
At the Hon. Henry C. Dawes Chairman of
Dawes Commission Santa Fe.

Your petitioner Mandy Cohen after
being duly sworn states: That her name
is Mandy Cohen, that her age is 33 years
and post office address is Santa Fe.

That she is a Choctaw freedman
and entitled to be enrolled as such for
the following reasons to wit:

That she ~~was~~ born a slave of
R. E. Cochran a Choctaw Indian
that she is a daughter of Nathan
and Mary Cochran, both of whom
were slaves of said R. E. Cochran.

That at the time of the Ft Smith Treaty
she was too young to have her name
enrolled as such freedman.

That her family consists of the
following named persons:

Two Children as follows. Bindy,
who is 14 years old, and

Margaret who is 13 years old.

And respectfully avers that she
together with her children

Bindy and Margaret Cohen be
enrolled as Choctaw Freedmen

in the Indian Territory.

For petitioner states the above
facts as the lawful grounds of her
application for enrollment, and
prays that her claim may be investigat-
ed and that she with her children be
adjudged Choctaw Freedman, and
shall ever pray
Witness my hand this 21st day
of Aug. 1896

Maudy ^{her} Coker

Subscribed & sworn to before
me this the 21st day of Aug 1896
J. McKenry
Notary Public

NO

CLAIM OF

Wanda Cohn.

For Choctaw Citizenship.

ANSWER.

Ans Dec 9, '96.
Harpeaway
Sgt.

STUART, GORDON & HAILEY, Attorneys.

4

IN THE MATTER OF THE CLAIM OF Manda Cohn.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The proof in this case is wholly insufficient to show
that applicant is a one-eighth blood Choctaw Indian.

There is no evidence to show that this claim has ever
been disputed by the Choctaw Nation.

The Choctaw Nation
By Robert Gordon T. Huling
Attorneys.

End

Choc Fr 29

application of
Charles Cochran
Chertam Museum

affidavit of
Service

Indian Territory
Southern District }

On this 1st day of Sept. 1896
before me a duly commissioned
Notary Public in & for the Southern Dist.
Indian Territory. appeared J. M. King
and after by me being duly sworn
upon his oath states:

That he has this day mailed
to the Governor of the Choctaw Nation
at Tuscaloosa, Ala. a true &
correct copy of all the papers
including petition & affidavits
in the case of Charlie Cochran
Choctaw prisoner

Signed this above day & year
J. M. King

Subscribed & sworn to before
me this 1st day of Sept. 1896
Mount Morris
Notary Public

Application of
Charles Cookhouse
Abraham Freedman

Applicant

Original

Testament of the 1st
June 1846.

To the Hon. Secy. Commission
June 9th.

I hereby certify that I am
acquainted with Charles Cochran
a son of Nathan & Mary Cochran
who belonged to R. H. Cochran
and I think that some
R. H. Cochran was recognized
as a Choctaw citizen.
Said Charles Cochran
missed registration on
account of being a
considerable distance from
the place of registration
and not being able to read
(did not understand how
to take advantage of the
opportunity).

W. L. Cochran
Subscribed and sworn to before me
This the 11th Day of August 1846
J. B. Chapman
Notary Public

Application of
Charles Cochran
Charles Cochran

affidavit

Original

Southern Dist
Indian Territory }

on this 21st day of
Aug 1896 before me I making
a duly commissioned Notary Public in
& for the Southern Dist Indian Territory
^{appears} Houston Brown and after being
duly sworn states that his name is Houston
Brown that his age 45 years past
office is Ada Id. and that he
is a Chickasaw Indian.

That he is personally acquainted with
Charlie Cochran who is 25 years old
and that he is a son of Nathan
and Mary Cochran Cherokee
Indians and that said Charlie
Cochran is married and his wife
name is Ida Cochran. That
he has known Charlie Cochran
very since he was a small
boy.

Houston ^{his} Brown
~~name~~

Subscribed & sworn to before me
this 21st day of Aug 1896
I making
Notary Public

Application of
Charlie Cochran
Choctaw Freedman

#810

Petition
Charlie Cochran
vs
Choctaw Nation

Filed Sept 4th 1896
A. S. McKinney
Comr.
Freedman

R. D. Stonewall St.
G. 1111

United States of America Ind. T. &
To the Hon. Henry L. Dawes Chairman
of the Dawes Commission at Vinita I.T.
Your petitioner after being duly
sworn upon oath states:

That his name is Charles Cochran
that his age is 25 years and post office
is Stone Wall I.T. and that he
is a Choctaw freedman and entitled
to be enrolled as such for the
following reasons to wit:

That he is a son of Nathan and
Mary Cochran who were slaves
of R. L. Cochran a Choctaw Indian
and that his parents remained with
said R. L. Cochran until they were
set free at the end of the Civil War.

That his family consists
of the following named persons wife
Ida Cochran -

And respectfully asks that
he together with his wife Ida
be enrolled as Choctaw
freedmen in the Indian Territory
Your petitioner states the above
facts as the lawful grounds of
his application for enrollment
and prays that his claim may
be investigated and that

he with his wife be adjudged
Choctaw Freeman, and entitled
to all the privileges pertaining
to such freeman according
to the laws & treaties made with
said Tribe of Indians for the benefit
of said freeman
Witness my hand this 21st day
of Aug 1846

Charles C. Cochran
Notary

Subscribed & sworn to before
me this 22nd day of Aug 1846
J. M. Key
Notary Public

NO.

CLAIM OF

Charles C. C. C.

For C. C. C. C. C.

ANSWER.

Jan. 4, 1896.
Hampden
Mass.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Charles Jackson

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence shows that the claimant was not in this~~
~~position at the time of the Treaty of 1830.~~

The Choctaw Nation
By *Stuart Gordon Healey*
Its Attorneys.

End

Chc FR 30

Application of
Nathan Cushman
Choctaw Indian
Affidavit

Original

I hereby certify that I am acquainted with Nathan
Cochran, a Cherokee, free, that he belonged
to R. L. Cochran before the war of the rebellion and
I know that R. L. Cochran and family were recogniz-
ed as Choctaws. That said R. L. Cochran re-
mained at home during the years of the war and that
he was in the Chickasaw Nation before and after the
date of the Treaty of Ft. Smith. I was present at the
militia registration when the Choctaw freedmen were
enrolled on account of his being at that time in the
Chickasaw Nation a considerable distance from the
registry and not being able to read did not under-
stand the conditions well enough to take advantage
of his opportunity. Further more, that I
am acquainted with some of the children of
the aforesaid Nathan Cochran viz: Henry Richard,
Aminda, Nathan Jr. - Charles & Mary
J. C. Walker

Subscribed and sworn to before me
This the 13th Day of Aug 1890
J. C. Chapman
Notary Public

Application of
Nathan Cochran
Choctaw Freedman

affidavit

Original

Stonewall
11th St.

To the Hon. James Buchanan
Sen. U. S.

I have to certify that I am
acquainted with Nathan Cochran
a Choctaw Indian that he belonged
to N. L. Cochran before the war
of the rebellion and I know that said
N. L. Cochran and family were
recognized as Choctaws that said
Nathan Cochran was and is now
in the Chickasaw Nation before
and at the time of the treaty of
Smith. Said Nathan Cochran
was not a Choctaw when the
Choctaw Indian were expelled
on account of leaving a considerable
distance from the place where
they were required to remain being
in the Chickasaw Nation and
not being able to and did not understand
the conditions well enough to take
advantage of his opportunity.

W. L. Cochran

Subscribed and sworn to before me
this the 11th Day of August 1896
J. B. Chapman
Notary Public

application of
Mary Cochrane
Christine Friedman

affidavit

Original

Worcester, 9, 1.

11th 96.

To the Hon. House of Commissioners
Linn Co. N.Y.

I hereby certify that I
am acquainted with Mary Cochran
a woman who belonged to
R. L. Cochran, before the war
of the Rebellion and I know
that said R. L. Cochran and
family were recognized as
Chocktaw. Said Mary Cochran
was in the Chickasaw Nation
before and at the date of the
treaty at Smith's Bend,
Mary Cochran married
negotiation when the
Chocktaw Freedmen were
enrolled on account of living
a considerable distance
from the place of registration
and not being able to read
did not understand how to
take advantage of her
opportunity.

W. L. Cochran

Subscribed and sworn to before me
this 11th Day of August 1896
J. H. Chapman
Notary Public

Application of
Arthur Cockburn
Whetstone Freeman

affidavit

Original

Southern Dist.
Indian Territory }

On this 15th of Aug 1846 before
me a duly commissioned Notary Public in
& for the Southern District Indian Territory. appeared
the undersigned and after being duly sworn
states: That his name is Ahron
Newberry. That his age is 60 years
and that his post office address is
Atoka - T.T. That he is a Cherokee
Indian by blood and is recognized as such
in the Cherokee Nation.

That he is acquainted with Nathan Cochran
also with his children Lizzie, Ples,
Ella, Henry, Francis, Linnie, and
Willie Cochran, all of whom are
children of Nathan Cochran,
who is of African descent and
prior to the war of 1861 belonged to
R.G. Cochran a Citizen of the
Indian Territory & belonged to the Tribe
of Choctaw Indians.

Witness my hand

Ahron Newberry
Notary Public

Subscribed & sworn to before
me this 15th day of Aug. 1846
J. M. Newberry
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

Apprentice of
Nathan Cochran
Charlotte Freeman

6
Affidavit of
Servitude

Southern District
Indian Territory

on this 1st day of
Sept. 1896 appeared in
person before the undersigned
author by a duly commissioned
Notary Public in & for Southern Dist.
Indian Territory - J. M. King and
after being duly sworn states:
That he has this day mailed
a true & correct copy of
the petition and affidavits
in the case of Nathan Lockman
to the Governor of the
Territory of Oklahoma at
Tulsa, Oklahoma, &
signed this same day & sworn to
J. M. King

Subscribed & sworn to before me
on this 1st day of Sept. 1896
J. M. Morris
Notary Public

Application of
Nathan Cochran
Chocoma Pueblo

Petition
No. 808
Nathan Cochran
vs
Chocoma Pueblo

Filed Sept 4/1896
A. S. McKinnon
Clerk

P.O. Center I.T.
Original

United States of America Ind. Ter.
To the Hon Henry L. Damm Chairman
New Commission Senate D.T.

Your petitioner after being duly sworn
states. That his name is Nathan
Cochran and is 85 years of age, and his
post office address is Center D.T.
and that he is a Choctaw Freeman
and entitled to be enrolled as such
for the following reasons to wit:

That before the Civil war he belonged
to R. C. Cochran who was a Choctaw
Indian. That at the time of the
Pt Smith Treaty he was in the Choctaw
Nation, and not being able to read and
having no one to instruct him failed
to have his name enrolled as a
Choctaw Freeman.

That his family ^{relationship} consists of the following
named persons. Wife Mary
Cochran age 80 years, and ten
children as follows: Henry, 38
years old Richard, 36 years old
Maudy 33 years old Lizzie 26 years
old Nathan 21 years old, Frank
22 years old Willie 22 years
old Linnie 17 years old, Plus

14 years old, Ella 9 years old
And respectfully asks that she
be enrolled together with each
member of his family as Choctaw
Freemen in the Indian Territory

Your petitioner states the above facts
as the lawful grounds of his application
for enrollment as Choctaw Freeman
and prays that his claim may be investi-
gated and that he be adjudged a Choctaw
Freeman according to the laws & treaties
made with said tribe of Indians for
the benefit of said Freeman.

Witness my hand this the 21st day of
Aug 1896

Nathan^{his} Cochran
man

Subscribed & sworn to before
me this 21st day of Aug 1896
J. M. King
Notary Public

NO.....

CLAIM OF

Nathan Chehran Jr. et al.

For Choctaw Citizenship.

ANSWER.

Filed Oct 9, 1896.

*H. M. Cowan
Secy*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Nathan Cochran Jr., et al.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence shows that applicant is a Choctaw freedman,~~
~~but does not show that he registered in accordance with the Choctaw~~
~~laws, and does not show that he was here prior to the Treaty~~
~~of 1830.~~

By

The Choctaw Nation
Shirley Gordon & Shirley
Its Attorneys.

End

Choc FR 31

(207)

To The Honorable Dawes Commission
for the Five Civilized Tribes

Affidavit

Betsy Blair, represents to your Honorable Com-
mission that she is a colored woman 40 years of
age that she is living in Pontiac Co. Chickasaw
Nation. That she was held in slavery by one Bill
Wade a Choctaw Indian by blood that she was
held in slavery by the said Bill Wade till the
time of the Treaty at Ft Smith between the U.S.
& the Choctaw & Chickasaw Nations ^{in 1869} that
since her freedom ^{she has lived} in the Chickasaw Nation ^{having}
having moved there shortly after freedom that
she has always enjoyed all the rights & privileges
of a Choctaw Freeman in the Chickasaw Nation your
applicant further states she was never sold out
of the Choctaw Nation but lived with her Master
Bill Wade until she was 21 years of
age; prays to become a citizen of the Choctaw
Nation with all the rights & privileges guaranteed
under the 3^d & 4th articles of said Treaty of 1866. &
asks your Honorable Consideration ^{her} ap-
plication for citizenship of said Choctaw Nation
& begs you accept the attached affidavits as
proof of said facts

Betsy Blair.
Blair

Sworn to and Subscribed before me,
This the 27th Day of Aug 1846

J. B. Chapman
Notary Public

In and for the Third Judicial Division
of the Indian Territory

To the Hon'ble Commissioners for
the Five Civilized Tribes.

In the matter of the ap-
plication of Beady Blue for enrollment as a
citizen of the Choctaw Nation under the 3rd & 4th articles
of the Treaty of 1866 made at Fort Smith between the
United States & Choctaw & Chickasaw Indians.

On this
2nd day of Aug. A.D. 1896. Pres. Wiley appeared be-
fore me the undersigned authority.

Who being first duly sworn according
to law states on oath My name is Peggie
Bishop, My post office is ^{Stonewall} I know Beady
Blue ~~and know her~~ I have known her
for over 30 years. she was held in slavery
by Bill Wade a Choctaw Indian by blood.
She belonged to Bill Wade till she was set
free. after freedom she moved to the
Chickasaw County & has lived in the Chickasaw
Nation ever since & has enjoyed all the
rights & privileges of a Choctaw freedman
in the Chickasaw Nation. I am a Chickasaw
Indian by blood.

Peggie ^{her} Bishop
Sworn to and Subscribed before me
this 2nd day of Aug 1896
In and for the United States
Division of the Indian Territory } J. C. Chapman
Notary Public

Copy of application
7/92

Bushy Blue

V.

Chadwick

Feb 9/1/96

H. W. January
Sey

Chadwick

ada. D. J.

To the Hon. James Commission for the
Five Civilized Tribes.

In the matter of the application
of Betty Blue for enrollment as a ^{Citizen} ~~member~~ of the
Choctaw Nation under the 8th article of the Treaty
of 1866 made at Ft. Smith between the United States &
Choctaw & Chickasaw Indians.

On this 27th day of Aug
A.D. 1896, personally appeared before me the under-
signed authority Mary Vollen. Who first
being duly sworn according to law states in oath
My name is Mary Vollen. My first name
is ^{Chapman} Mary Vollen. Blue has known her ever since
she was born. She is about 45 years old. I know
her mother Lida Wade before Betty was born.
Betty was born in slavery. her master's name
was Bill Wade a Choctaw Indian by blood.
She lived with her master Bill Wade as his
slave till she was set free. after freedom
she moved to the Chickasaw Nation & has en-
joyed all the rights & privileges of a Choctaw
freedman in the ~~Indian~~ ^{Chickasaw} Nation
~~Chickasaw~~ further state I have no interest what
soever in this application.

Mary ^{her} Vollen

Sworn to and Subscribed before me

This the 28th Day of Aug 1896

J. G. Chapman
Notary Public

In and for the Third Judicial Division
of the Indian Territory

No.....

—CLAIM OF—

Betsy Blue

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

W. W. Jansway
Deq.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF Becky Blue.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

~~The evidence does not show that the applicant was ever registered as a Choctaw freedwoman.~~

There is no evidence to show that this claim has ever been disputed by the Choctaw Nation.

Becky Blue.

The Choctaw Nation
By *Stuart Gordon Hainey*
Its Attorneys.

End

Chuc R 32

South McAlester, I. T. Sept. 6th 1898.
Received of J. P. Mullen papers purporting to be copies of
petition of Mary Bales for citizenship in the Choctaw Nation and
affidavit of E. D. Colbert in support of said claim.

Stuart Gordon, Atty.
Attys. for Choctaw Nation.

GENERAL AFFIDAVIT.

United States of America,
Indian Territory, Central District.

Personally appeared before me the undersigned a Notary Public in and for the said District and Territory, E.D. Colbert who after being duly sworn states that he is personally acquainted with Eysahitabe who was a full blood Choctaw Indian and a recognized citizen of the Choctaw Nation and a member of the Choctaw Indian tribe he lived for a great many years in Blue County, Choctaw Nation, and died there about 1858.

Affiant further says that he is personally acquainted with Mary Bales, and know her to be at least 1/2 Choctaw Indian blood and he knows that the said children are admixtures of negro and Choctaw blood and are at least 5/8 Choctaw blood, and that they all have resided in the Choctaw and Chickasaw Nation all of their lives.

They have been trying to register as Choctaw Indian for a number of years as Choctaw Indians.

E.D. Colbert
.....

Subscribed and sworn to before me this the 5th day of Sept. 1896.

M. M. Williamson
Notary Public.

No. 1278

APPLICATION OF

Mary Baker Et. Al.

FOR

Enrollment in Chocoma Nation

Filed on the 7 day of Sept 1894

L. S. McKinnon

Sec. U. S. Court

Attorney for Petitioner.

CAPITAL PRINT, South McAlester.

Received

Consider for

Free

27 17 1894
Notary Public

APPLICATION FOR ENROLLMENT

Before the United States Commission to the Five Civilized Tribes of Indians:

Mary Bales
VS.
Choctaw
El. Al.
PETITIONER,
Nation, Indian Territory,
RESPONDENT.
APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner Mary Bales states that *Eyashitabe*
was a Choctaw Indian by blood, was duly recognized by the proper authorities as such in *Eyashitabe*
and enjoyed all the rights, privileges, *Choctaw*
benefits and immunities of other Indians by blood in the said *Choctaw*
Nation or Tribe of Indians, and that the name of the said *Eyashitabe* appears
or should appear upon the authenticated rolls of the said *Choctaw* Indians for the year *1901*

That the petition is a lineal descendant of the said *Eyashitabe* to-wit

That her post office address is Savannah, I. T. that she is 43 years of age that she is an admixture of negro and Choctaw blood and that she derives her Choctaw blood from her father the late *Eyashitabe* who was a full blood Choctaw Indian and a recognized citizen of the Choctaw Nation and a member of the Choctaw Indian tribe and that her mother was a negro by blood.

Applicant further says that she was born in Blue County Choctaw Nation, and have been living in the Choctaw and Chickasaw Nation all of her life.

Applicant further says that she intermarried with Brian Allen and by such marriage the children mentioned hereinafter were born and are now living and that the said children are admixture of negro and Choctaw blood and are at least 1/4 Choctaw blood.

That under the constitution, laws, usages and customs of the said *Choctaw* Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said *Choctaw* Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities of other *Choctaw* Indians by blood.

That there are now living legal descendants of your said petitioner 3 persons, as follows, to-wit:
Elizabeth Flax nee Allen, a female, and 31 years of age
George Allen, a male, and 3 years of age
Henderson Allen, a female, and 7 years of age
Sister, a female, and 11 years of age
Jefferson G. , a male, and 11 years of age
a , and years of age
a , and years of age
a , and years of age
a , and years of age
a , and years of age
a , and years of age

Wherefore, the premises considered, your petitioner prays that *Eyashitabe* name, with those of

said descendants to-wit:

and *Mary Baker* be enrolled and admitted to all the rights, benefits, privileges and
immunities of other *Chickasaw* Indians, in and to the *Chickasaw* Nation or
Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence namely:

and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner
will ever pray, etc.

Joseph T. Mullen
Attorneys for petitioners.

The aforementioned petitioner, *Mary Baker* says that the statements
set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Subscribed and sworn to before me, this *5* day of *Sept* 1896.
Wm. W. Williams
Notary Public.

No. <i>1278</i>	APPLICATION OF <i>Mary Baker</i> El. Al.	FOR <i>Chickasaw</i> Nation
Enrollment in		
Filed on the <i>7</i> day of <i>Sept</i> 1896	<i>U. S. McKinnon</i> Sec. U. S. Commissioner	Attorney for Petitioner.
CAPITAL PRINT, South McAlester.		

Received for
U. S. McKinnon

No.

—CLAIM OF—

Mary Bates

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct. 7, 1896.

H. W. January

Deq.

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF *Wm. H. Gordon*

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The Choctaw Nation
By *Stuart Gordon & Hailey*
Its Attorneys.

End

doc fr 33

Application of
John Kemp
Malina Kemp
Malinda Kemp
Smith Kemp
Gabriel Kemp
Lewis Kemp
for enrollment
as Citizens of
the Choctaw Nation

FILED SEPT 10 1891

A. S. McKENNON

COM'R

For Enrollment

Roll

Investigation

Case

Malina Kemp Roll

A. B. Kemp Atty
for Applicants

APPLICATION FOR ENROLLMENT
0000000000000000

To the Hon H.L. Dawes, F.C. Armstrong, A.S. McKennon, T.B. Cabanas and A.B. Montgomery, United States Commissioners to the Five Civilized Tribes:-

The undersigned applicant, John Kemp, for and on behalf of himself and family make this the r application to you for the purpose of being placed on the roll of Choctaw Freedman entitled to citizenship in the Choctaw Nation.

Applicant states that he is about eightyeight years of age and resides in the Chickasaw Nation near the town of Wynnewood, Indian Territory; that he is a Choctaw freedman of African descent; that he was born in Alabama and was brought to the Indian Territory by Jackson Kemp a Choctaw Indian by blood at the time when the Choctaw Indians removed to the Indian Territory and was held as a slave, by the said Jackson Kemp in the Choctaw and Chickasaw Nations until the time of the Treaty of Ft Smith when the Choctaw slaves were set free.

Applicant further states that his present wife, Malina Kemp, was born in the Choctaw Nation and is about sixty years of age; that she is a Choctaw freedwoman and was held as a slave by the said Jackson Kemp in the Chickasaw Nation at the time of the said Treaty of Ft Smith; that he was married to the said Malina Kemp about the year 1858, and that by reason of said Marriage and said union there has been born unto them four children who are now living and now compose a part of my family whose names and ages are as follows: Malinda Kemp age thirtysix, Smith Kemp age twenty two years, Gabriel Kemp age sixteen, Louis Kemp age ten.

Wherefore applicant prays that he and his said wife and said children be enrolled as Choctaw freedmen and for all other proper relief.

Attest:
J. S. Hotchkiss
United States of America
Indian Territory
Southern District

On this the 27th day of August 1896 personally appeared before ~~maxkhix~~ A.S. Hotchkiss, a notary public in and for the southern District of the Indian Territory, John Kemp, who being by me duly sworn upon his oath states that the facts set forth in the above application are correct and true. Subscribed and sworn to before me this the 27th day of August, 1896.

C. S. Hotchkiss
Notary Public in and for the Southern District of the Indian Territory.

John Kemp
Witness

AFFIDAVIT OF JOHN L. CARR.

Indian Territory
Southern District.

Before me the undersigned authority on this the 29th day of August 1896, personally appeared John L. Carr, who after being duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: My name is John L. Carr, my age forty seven years, residence Wynnewood, Ind. Ter. am a citizen of the Choctaw Nation by blood. I knew Jackson Kemp during his lifetime was living in about three miles of him when the Choctaw slaves were set free. I knew him to be a Choctaw Indian by blood. I knew that he was recognised by the Choctaw Nation as a citizen of that nation. I knew John Kemp and his wife, Malina Kemp, knew that they are of african decent and that they were held by the said Jackson Kemp, in the Chickasaw Nation as slaves at the time of the Treaty of Fort Smith. ~~They~~ The said John Kemp and his wife, Malina Kemp are now living near the town of Wynnewood, I. T.

John L. Carr

Subscribed and sworn to before me this the 29th day of August 1896.

Alfred P. H. Kern

Notary Public in and for the
Southern District of the
Indian Territory.

Southern District

AFFIDAVIT of CAP HARPER

United States of America
Indian Territory
Southern District

Before the undersigned authority, on this the 27th day of August, 1896, personally appeared Cap Harper who after being duly sworn by me to tell the truth, the whole truth and nothing but the truth, deposes and says:- My name is Cap Harper, my age is sixty years, my residence, three and one-half miles north of Wynnewood, Indian Territory. I have been living in the Chickasaw Nation since the year 1854. I knew Jackson Kemp during his life time, I knew him to be a Choctaw Indian by blood, I lived in about eight miles of him during slavery. I know John Kemp and his wife Malina Kemp, I know them to be of African descent and know that they were held by the said Jackson Kemp in the Chickasaw Nation as slaves at the time of the Treaty of Ft Smith when the Choctaw slaves were set free. I ~~xxxxxxxxxxxxxxxxxxxx~~ know that Smith Kemp Malinda Kemp, Gabriel Kemp and Lewis Kemp to be children of the said John and Malina Kemp, and that all of said children are now living.

Attest:-
Cap Jackson

Cap Harper
my

Subscribed and sworn to before me this the 27th day of August, 1896.

Sentinel
district

Cap Jackson
Notary public in and for the Southern
District of the Indian Territory.

AFFIDAVIT OF CATHARINE FRANKLIN

Indian Territory
Southern District.

Before me the undersigned authority on this the 29th day of August 1896. personally appeared Catharine Franklin, who after being duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: My name is Catharine Franklin, my age is about ~~xxx~~ seventy six years my residence is about three miles north of the town of Wynnewood, Ind. Ter.. I was born in Pontotoc County, Miss. and came to the Indian Territory with the Choctaw Indians I was owned and brought from Miss. by Jackson Kemp a Choctaw Indian by blood. I know John Kem and Malina Kemp. they ~~werexxxxxxxxx~~ are both Choctaw Freedmen and were both held as slaves by the said Jackson Kemp at the time of the Treaty of ~~the~~ Fort Smith when the Choctaw slaves were freed.

Attest J. L. Robinson Catharine ^{hs}Franklin

Subscribed and sworn to before me this the 29th day of August 1896.

Southern District

W. F. Potkin
Notary Public in and for the
Southern District of the
Indian Territory.

Indian Territory
Southern District

I, Frank J. Robinson do solemnly swear
that on the 8 day of September, 1896, at the Post Office of Wynnewood
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Gardner, Governor of the Choctaw Nation at Tuskomma, Indian
Territory. I examined said letter before it was mailed and found it to
be a correct copy of the application, to the Dawes Commission, for Citi-
zenship of John Kean, Malina Kean, Mal
John Kean, Smith Kean, Gabriel Kean
Lewis Kean
together with the affidavits of John B. Carr
Cap Harper, and Outharrie
Franklin

REGISTRY RECEIPT.	
Post Office at <u>Wynnewood, I.T.</u>	
Registered Letter No. <u>127</u>	Rec'd <u>Sept 8</u> 189 <u>6</u>
of <u>Cyrus G. Kean</u>	
One letter	
addressed to <u>Gov. Jefferson Gardner</u>	
<u>Tuskomma, Okla</u>	
<u>H. B. Lee</u>	
P. M.	

gistry receipt No. 28 was ~~XXXXXXXXXX~~
ceipt for said letter.
Frank J. Robinson
me this the 8 day of September, 1896
C. H. Rutkin
otary Public, Southern District, I.T.

Indian Territory
Southern District

I, Frank J. Robinson do solemnly swear
that on the 8 day of September, 1896, at the Post Office of Wynona
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-

ached, mail a registered letter to
hockaw Nation at Tuskomma, Indian
for. it was mailed and found it to
, to the Dawes Commission, for Citi-

Malina Kemp, Mal-
Kemp, Gabriel Kemp,

John E. Barr
Ed Outharrie

gistry receipt No. 28 ~~XXXXXXXXXX~~
ceipt for said letter.

Frank J. Robinson

Subscribed and sworn to before me this the 8 day of September, 1896

W. H. Barker

Notary Public, Southern District, I.T.

W. H. Barker
District

single receipt with 2 copies. One to be kept by
the receiver.

together with the affidavit of
the receiver and the receipt
of the sender.

at my receipt no 31 was observed
subject F. a to letter.

Wm. J. Gardner

me this the 8 day of September, 1896

(affidavit)

etary Public, Southern District, I.D.

REGISTRY RECEIPT.			
Post Office at	WYLLWOOD T		
Registered Letter	No. 127	Rec'd	Sep 8 1896
of	Eugene G. Kean		
	One letter		
addressed to	Gov. Jefferson Gardner		
	Gastropier J. J.		
	H. C. Lee		
	P. M.		

NO.

CLAIM OF

John Kemp.

For Choctaw Citizenship.

ANSWER.

Filed Oct 9, 1896.
H. J. Conway
Atty

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

John Kemp.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

Service was not had until the 11th of September, 1896.

The Choctaw Nation
By *Stewart Gordon Huling*
Its Attorneys.

End

Chuc FR 34

NO.

CLAIM OF

FILED FOR

FOR CHARTER OF THE

ANSWER.

FILED FOR 1896

FOR CHARTER OF THE

STUART, GORDON & HAILEY, Attorneys.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

Pleasant is an no sister of The late Mrs. Mary (nee) Pleasant, who was in the Georgia National Guard in 1960.

therefore entitled to be considered.

By The Choctaw Nation
Stuart, Gordon & Hasty
Its Attorneys.

NO. 4548

Before the Honorable Commission to the Five Civilized Tribes in the Indian Territory.

Eliza Pleasant and Delia, Ada
and Monroe Pleasant, her children,
Applicants,

VERSUS

The Choctaw Indian Tribe or Nation.

Application.

Filed 9 Sept 1896
H M Jeoway
Clerk

To be considered for the
Cape Roll -
New State

SOPER AND SANSON,
ATTORNEYS AT LAW,
MUSCOGEE, IND. TER.

United States of America, #
Indian Territory, #
Northern District. #SS.
#

THOMAS A. SANSON JR., of lawful age, being duly sworn upon his oath, by me the undersigned authority, states, that on the ^{eighth} ~~22nd~~ day of September A.D. 1896, he deposited in the Post Office at Muskogee in the Indian Territory, in a securely sealed envelope, all postage prepaid, true copies of the application of Eliza Pleasant and her children Ada, Della and Monroe; and of the affidavits of Henry Chalk and Lureanar Carrothers, hereto attached, and in this case, plainly addressed to "Hon. Jeff Gardner, Principal Chief of the Choctaw Nation, Eagletown, Choctaw Nation, Indian Territory", and that he registered the letter containing said copies, and hereto attaches the registry receipt issued to him by the Postmaster at Muskogee, Indian Territory, therefor.

Thomas A. Sanson Jr.

Subscribed and sworn to before me this 8th day of September 1896.

Russell McGinnis
Notary Public within and for the
Northern District of the Indian
Territory.

Before the Honorable Commission to the Five Civilized Tribes in the
Indian Territory.

Eliza Pleasant, and Delia, Ada and Monroe
Pleasant, her children,
No. _____ against Application.
The Choctaw Indian Tribe or Nation, in the
Indian Territory.

To the Honorable Commission to the Five Civilized Tribes:

James for Eliza Pleasant for herself, and as guardian of her minor
children Delia, Ada and Monroe Pleasant, and on oath, states:

First.

That she the said Eliza Pleasant, and her said minor children Delia,
Ada and Monroe Pleasant are citizens of the Choctaw Indian Tribe or
Nation of Indians in the Indian Territory; that the father of the said
Eliza Pleasant, whose maiden name was Eliza McGhee, was one Sol McGhee,
a Choctaw Indian by blood, who was a recognized citizen of the Choctaw
Indian Tribe or Nation, and who lived and was a resident of Jack Fork
County, Choctaw Nation and Indian Territory. That her mother was Mandy
McGhee, and was a Choctaw slave, and was owned before the war by the
McGhee family, of Choctaw Indians, in Jack Fork County in said Nation;
that her mother, the said Mandy McGhee was residing in the Choctaw Na-
tion at the time of the proclamation of the treaty of Fort Smith, made
and entered into by and between the United States and the Choctaw
Nation; that her mother lived in the Choctaw Nation for many years be-
fore the war as the slave of the said McGhee family; remained in the
Choctaw Nation during the war, and for about twenty years thereafter,
when she went to the Cherokee Nation temporarily and died there.

SECOND.

That your applicant Eliza Pleasant' maiden name was McGhee; that she is
married and has three children, whose names and ages are as follows, to
wit: Delia Pleasant, aged 9 years; Ada Pleasant, aged 8 years and Monroe

Pleasant, aged 7 years.

THIRD.

That your petitioner Eliza Pleasant, whose maiden name was Eliza McGhee, was born in Jack Fork County, Choctaw Nation; and is a citizen by blood of the Choctaw Nation by virtue of the fact that her father was a Choctaw Indian by blood, and that her mother was a Choctaw Freedwoman, and that she and her children, are, by reason of being the descendants of the said Sol McGhee and Mandy McGhee, entitled to be enrolled as citizens of the Choctaw Nation in the Indian Territory.

FOURTH.

That your petitioners are not enrolled by the constituted authorities of the Choctaw Nation as citizens thereof, and your petitioners pray that their application be considered by this Honorable Commission in conformity with the provisions of the act of the Congress of the United States, approved by the President on June 10th 1896, and that they be enrolled by this Honorable Commission as Citizens of the Choctaw Indian tribe or Nation in the Indian Territory.

And they will ever pray.

Witness my hand.

Thomas A. Sanson Jr.

United States of America,

Indian Territory,

Northern District.

#

#

#SS.

#

#

her
Eliza x Pleasant
mark
Applicant.

Eliza Pleasant, being duly sworn upon her oath, states, that she is one of the petitioners named in the foregoing petition, and the mother of the other petitioners; that she has heard the foregoing petition read and knows the contents thereof, and that the matters and things therein stated are true, so help her God. *her*

Witness my hand:

Thomas A. Sanson Jr.

Subscribed and sworn to before me this the 5th day of September 1896.

Thomas A. Sanson Jr.
Notary Public within and for
the Northern District of the
Indian Territory.

Before the Honorable Commission to the Five Civilized Tribes.

~~*****~~
Eliza Pleasant, and Delia, Ada and Monroe
Pleasant, her children, Applicants,
vs. _____ Against
The Choctaw Indian Tribe or Nation of Indians
in the Indian Territory.
~~*****~~

United States of America,
Indian Territory,
Seventh District.

HENRY CHALK, being duly sworn upon his oath, that the evidence he
gives in this case, should be the truth, the whole truth and
nothing but the truth, testified as follows, to wit:

My name is Henry Chalk, I am a citizen of the Choctaw Nation in
the Indian Territory; I am about 55 years of age and was born near
Doaksville in the Choctaw Nation, Indian Territory; I know the appli-
cants in this case: Eliza Pleasant and her children Delia, Ada and Mon-
roe; I know Eliza Pleasant ever since she was a child; I knew her
mother well; her mother was Mandy McGhee, and she was a colored woman;
I have always understood that her father was Sol McGhee, a Choctaw In-
dian; I knew her mother before the war, during the war and after the war.
Her mother Mandy McGhee was a slave before the war and was owned and
lived with the McGhee family of Choctaw Indians in Jack Fork County in
the Choctaw Nation, Indian Territory; her mother was freed by the Eman-
cipation Proclamation and lived in Jack Fork County in the Choctaw
Nation at the time of the treaty of Fort Smith; her mother Mandy McGhee
did not leave the Choctaw Nation during the war, and lived in the Choctaw
Nation for an number of years after the War, and was there when the
treaty of 1866 between the United States and Choctaw Nation was pro-
claimed. The applicant Eliza Pleasant has three children living; Delia,
Ada and Monroe, all minor children. I was well acquainted with the Mc-
Ghee family of Choctaw Indians who lived in Jack Fork County in the
Choctaw Nation; I don't know which of the McGhee family owned Mandy Mc

Ghee, but she lived with Eliza, Nancy, Arch and Cornelius McGhee, and they lived together. Eliza Pleasant, and her children Delia, Ada and Monroe, of my own knowledge, are citizens of the Choctaw Nation by virtue of their being descendants of A Choctaw Indian, and by virtue of their mother and grandmother Mandy McGhee being a Choctaw slave before the war and residing in the Choctaw Nation at the time of the treaty of Fort Smith.

Witness to mark:
Thomas A. Lanson Jr.

his
Henry X Chalk
mark

Subscribed and sworn to before me this the 5th day of September 1896.

Thomas A. Lanson Jr.
Notary Public within and for the North-
ern District of the Indian Territory.

Before the Honorable Commission to the Five Civilized Tribes.

Eliza Pleasant and her children,
No. _____ against
The Choctaw Indian Tribe or Nation in
the Indian Territory.

United States of America, #
Indian Territory. #SS.
Northern District. #

LURENAR CARRATHERS being duly sworn upon oath, states, that her age is 21 years; that she was born in Skullyville County in the Choctaw Nation; that she is acquainted with the applicant Eliza Pleasant and her children Delia, Ada and Monroe; that affiant was well acquainted with the McGhee family of Choctaw Indians who live in Jack Fork County in Choctaw Nation; that they told affiant that the mother of this applicant Mandy McGhee had been owned by them before the war. I knew the applicant in the Choctaw Nation, but did not know her mother or father.

Lurenar Carrathers

Subscribed and sworn to before me this the 5th day of August 1896.

Thomas A. Sanson, Jr.
Notary Public within and for the
Northern District of the Indian
Territory.

REGISTRY RECEIPT

Post Office at

Registered Letter { No. 200 Rec'd 9/8 1894

of *Super Sauson*

addressed to *Hon. Jeff. Harrison Pres. Elect*
Easton Conn. Ct.

P. M.

End

Chu M 35

all 53
Application of
Lourena Kemp,
Onie Kemp, Nellie
Kemp, Lena Kemp,
Minnie Kemp, Ellen
Kemp, George Kemp,
Mabel Kemp and
Adel Kemp for
Enrollment as
Citizens of the
Choctaw Nation.

FILED SEPT. 9 1896 -
A. S. MCKENNON
COM'R

Justices

C. B. Kean Atty
for Applicants.

APPLICATION FOR ENROLLMENT

BEFORE THE HON. H.L. Dawes, F.C. Armstrong, AS. McKennon, T.B. Cavanis and A.B. Montgomery, United States Commissioners to the Five Civilized Tribes:-

The undersigned applicant, Lourena Kemp, for and on behalf of herself and children make this their application to you for the purpose of being enrolled as Choctaw freedmen entitled to citizenship in the Choctaw Nation.

Applicant states that she is about thirtythree years of age and resides in the Chickasaw Nation near the town of Wynnewood, Indian Territory, she is a Choctaw freedwoman of African Descent, she was born in the Chickasaw Nation, and was held as a slave by Jackson Kemp, a Choctaw Indian by blood, in the Chickasaw Nation at the time of the Treaty of Ft Smith when the Choctaw slaves were set free; that she is the daughter of John Kemp and Malina Kemp both of whom are Choctaw freedmen of African descent, and were held as slaves by the said Jackson Kemp at the time of the said Treaty of Ft Smith.

Applicant further states that she is the mother of eight children now living whose names and ages are as follows: Onie Kemp, aged fourteen years, Nellie Kemp, age twelve years, Lena Kemp, aged ten years, Minnie Kemp aged eight years, Ellen Kemp aged seven years, General Kemp aged six years, Maud Kemp aged five years, Adel Kemp, age two years.

Wherefore applicant prays that she and her said children be enrolled as Choctaw Freed men, and that they be given all other and proper relief.

Attest:

United States of America
Indian Territory
Southern District

Lourena Kemp
Wm H Kemp

On this the 27th day of August, 1896 personally appeared before me A.S. Hetchkin, a notary public in and for the Southern District of the Indian Territory, Lourena Kemp, who being by me duly sworn upon her oath states that the facts set forth in the above application are correct and true. Subscribed and sworn to before me this the 27th day of August, 1896.

A.S. Hetchkin
Notary Public in and for the Southern District of the Indian Ter.

D

Signature
Wm H Kemp

AFFIDAVIT OF MALINA KEMP

Indian Territory
Southern District.

Before me the undersigned authority on this day personally Malina Kemp, who after being duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: My name is Malina Kemp, my age about sixty years my residence about one mile north of the town of Wynnewood, Indian Territory; ~~xxxxxx my husband's name is John Kemp, we are both Choctaw Freedmen of African descent and were held as slaves in the Chickasaw Nation, at the time of the Treaty of Fort Smith when the Choctaw slaves were set free, by Jackson Kemp, a Choctaw Indian by blood; I know Lourena Kemp, she is my daughter and the said John Kemp is her father, she is about thirty three years of age and was held as a slave by the said Jackson Kemp at the time of the said Treaty of Fort Smith, she is the mother of eight children that are now living and whose names and ages are as follows: Onie Kemp age fourteen years; Nellie Kemp, age twelve years; Lena Kemp, age ten years; Minnie Kemp age eight years; Ellen Kemp, age seven years; General Kemp, age six years; Maud Kemp age five years; Adel Kemp, age two years. The said Lourena Kemp and her eight children are now living near the town of Wynnewood, Ind. Ter.~~

W. H. Beckin *Malina Kemp*
Subscribed and sworn to before me this the 29 day of August, 1896.

Southern District

W. H. Beckin
Notary Public in and for the
Southern District of the
Indian Territory.

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear, on this the
8 day of September, 1896, at the Post Office of Wynnewood
Indian Territory, I saw Cyrus G. Kean, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
Jefferson Gardner, Governor of the Choctaw Nation, at Tuskahoma Indian
Territory. I examined said letter before it was mailed and found it to
be a correct copy of the application, to the Dawes Commission, for Citi-
zenship of Louisa Kemp, Annie Kemp, Nellie
Kemp, Lena Kemp, Minnie Kemp,
Ellen Kemp, General Kemp, Mand Kemp
and Add Kemp
together with the affidavits of Malina Kemp

REGISTRY RECEIPT.	
Post Office at	WYNNWOOD
Registered Letter	No. 229
Parcel	Reg'd Sept 8 1896
of	Cyrus G. Kean
addressed to	Annie letter Gov Jefferson Gardner Tuskahoma, I.T.
	H. C. Lee P.M.

gistry receipt No. 229 hereto attach-
ed letter.

Frank L. Robinson

this the 8 day of September, 1896.

W. S. Robinson

ary Public, Southern District, I.T.

Indian Territory
Southern District

Frank L. Robinson do solemnly swear, on this the

Post Office of Hammond

Attorney for the applicants men-

tioned, mail a registered letter to

Cherokee Nation, at Muskogee Indian

before it was mailed and found it to

be to the Dawes Commission, for Citi-

Urie Kemp, Nellie

Minnie Kemp,

and Kemp, Mand Kemp

Malina Kemp

Registry receipt No. 2 hereto attach-

ed was given him as receipt for said letter.

Frank L. Robinson

Subscribed and sworn to before me this the 8 day of September, 1896.

W. J. Pritchard

Notary Public, Southern District, I.T.

Southern
District

shown in the application hereto received, with a registered letter to
Jefferson Gardner, Governor of the Choctaw Nation, at Tusko-homa Indian
Territory. I examined said letter before it was mailed and found it to
be a correct copy of the application, to the Dawes Commission, for Citi-
zenship of Agassina Stamp, Wini Stamp, Patte
Stamp, Agass Stamp, Orin Stamp,
Allen Stamp, Bernice Stamp, Wanda Stamp
and Ada Stamp
together with the affidavits of Wadwin Stamp

REGISTRY RECEIPT.

Post Office at _____

Registered Letter Parcel No. 129 Rec'd. Sept 8 1896

of Cyrus S. Ream

addressed to One letter
Gov Jefferson Gardner
Tuskahoma, I.T.
H. B. Lee P.M.

Registry receipt No. 25 hereto attach-
ed letter.

Frank T. Robinson

this the 8 day of September, 1896.
W. F. Johnston
U.S. Public, Southern District, I.T.

End

Choc FR 36

South McAlester, E. T. Sept. 6th 1896.
Received of J. P. Millen papers purporting to be copies of
petition of Rachel Burney for citizenship in the Choctaw Nation and
affidavits of E. D. Colbert, Ola Shochabee, in support of said claim
Stuart Gordon Bailey
Attys for Choctaw Nation.

GENERAL AFFIDAVIT.

UNITED STATES OF AMERICA,
CENTRAL DISTRICT, INDIAN TERRITORY.

Personally appeared before me the undersigned, a Notary Public in and for the above District and Territory, E. D. Colbert to me personally well known and entitled to credit, and who after being sworn deposeth and says that I am 62 years of age, I reside in Black Fork County, Choctaw Nation, I. T. my post office address is Slatersburg, I. T. I have been residing in the Choctaw Nation ever since 1842.

Affiant further says that he is personally acquainted with Rachel Colbert and sometimes known as Rachel Burney and sometimes know as Rachel, I have know her for more than 30 years, personally.

Affiant further says that the said Rachel is almost a full blood Choctaw Indian woman, she has been living among the Indians ever since I have known her, she claimed to be a blood relation to William Fry and William Fry claimed to be a relation to her and William Fry was a Choctaw Indian citizen by blood. I do not think that she has been admitted to citizenship I know that she was never a slave since I have known her and has always lived with the Choctaw Indians. I know all of her children and grand children and great grand children and know that they have all been recognized and regarded as having Choctaw Indian blood and some colored blood. I was born in Miss. and came to the Choctaw Nation in 1842 she was here when I came and I learned that she came a few years before him.

Affiant further says that she was an Indian blood from her maternal ancestors. Her mother is claimed to be a full blood Choctaw Indian woman.

Subscribed and sworn to before me this 5th day of Sept, 1886!

E. D. Colbert
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

UNITED STATES OF AMERICA,
Central District, Indian Territory.

Personally up, carried out the investigation and Henry P. Mac
An and the said Dist. Atty. Gen. J. P. MacAn. I carried out the investigation
over the case of Sly and the other persons mentioned in the report, with the
aid of the said Indian states and the said Indian states and the said Indian
language into the English language and the said states and the said Indian
people, and the latter of the said Indian and the said claimant for the said
Indian and the said Indian. That the said Indian and the said Indian and the said Indian
are and below the said Indian and the said Indian and the said Indian
and the said Indian and the said Indian and the said Indian and the said Indian
people, that I live in the said Indian and the said Indian, I. E. that in
post office at the said Indian, I. E. that I am now 77 years of age
that I am now 77 years of age. That I am now 77 years of age. That I am now 77 years of age
about 1880 and at the said Indian and the said Indian and the said Indian and the said Indian
about 1880 and at the said Indian and the said Indian and the said Indian and the said Indian

[illegible]

cellar, more
interpreter

Wissenschaften

Subscribed and sworn to before me this the 3d day of Sept. 1896.

W. H. [illegible] Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

1. NAME

2. ADDRESS

3. CITY, STATE, ZIP

4. PHONE

5. OCCUPATION

6. EDUCATION

7. MARITAL STATUS

8. CHILDREN

9. EMPLOYMENT

10. OTHER INFORMATION

POOR ORIGINAL -
BEST AVAILABLE COPY

No 1276
In the matter of
Richard [unclear]
Petitioner
vs
[unclear]
Defendant
Filed Sept-7-1911
A. S. McKenna
Clerk

100
J. [unclear]
Atty. Gen. [unclear]
[unclear]

POOR ORIGINAL -
BEST AVAILABLE COPY

No.

—CLAIM OF—

Rachel Burney

FOR CHOCTAW CITIZENSHIP.

*... ..
... ..
...*

ANSWER.

Filed Oct. 7, 1896.

*W. W. J.
...*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says.

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

By

The Choctaw Nation
Stuart, Gordon & Hawley
Its Attorneys.

End

Chuc FR 37

Executive Office,

Chickasaw Nation.

JEFF. GARDNER.
PRINCIPAL CHIEF.

Eagletown

Ind. Terr., Sept 3 1896

The copy of application affidavit
etc in the case of Alexander Harlen (African descent)
claiming citizenship before the Dawes Commission
under the treaty of 1866 is received to day

Jeff Gardner
P. O. Box.

To The Honorable Daws Commission
To The Five Civilized Tribes -

Your petitioner most respectfully represents
that he is a Choctaw Freedman, of African
Blood and belonged to Sarah Harlin
A Choctaw by Blood, and I belonged
to her as her slave for several years before
the late Rebellion, and was still her
slave when the war ended, and at
the time of the Treaty of 1866, between
the United States of America and the
Choctaw and Chickasaw Tribes of Indians,
I lived with her in the Choctaw Nation,
near Red River, where I was freed
I will further state that I am 43 years
~~old~~ am now a resident of
Stonewall Chickasaw Nation Indian
Territory And for the reason of my
Affidavit submitted I ask your
Honorable Commission, to enroll
me as a Choctaw Freedman, I
neglected to Enroll when I was adopted
by the Choctaw Nation of Indians
I only ask the rights granted by
Treaty and Adoption of the Choctaw
Nation, - Most respectfully -

Alexander ^{this is} Harlin

Subscribed and sworn to ^{mark} before me this
26th day of August A.D. 1896.

Geo. H. Juax,
Notary Public

Indian Territory
Southern Division (SS-

Personally appeared before me Les.
H. Truax, a Notary Public in and
for above named Southern Division
Joseph Nail - who first being duly
sworn according to Law deposes and
says -

I am an african by blood and am
75 years old I live near Stonewall Choctaw
Nation. I am well acquainted with Alexander
Hartin. who is an african by Blood - and
was owned as a slave for several years
before the late Rebellion - by Sarah Martin,
a Choctaw Indian by Blood - and I still
farther know that he was her slave
when he was freed - and lived in
the Choctaw nation, near Red River -
I will further state that I have no
intrest in this Claim.

Joseph ^{his} Nail
mark

Subscribed and sworn to before me
this 26th day of August A.D., 1896,
Les H. Truax
Notary Public

No. 1441

Alex. Harlan
v.

Choctaw Nation

Filed 7 Sept. 1896
H. M. Jacobson
clerk

Remains

Stonewall
Ind. Ter.

Indian Territory } S.
Southern Division }

Personally appeared before me ~~Geo~~
~~Geo~~ J. J. J. a Notary Public in and
for above named Southern Division
Pheba Mike, who first being duly
sworn according to Law, Deposes and
says.

I am well acquainted with Alexander
Harlin who is an African by Blood
and was a Slave and belonged to
Sarah Harlin. Several years before
the Late War, and still was her
Slave when he was Freed and lived
with her in the Choctaw Nation at
the time the Treaty of 1866 was made
Between the United States of America
and the Choctaw and Chickasaw
Indians. Said Sarah Harlin was
of Choctaw By Blood — I will
further state. I am 60 years Old
and live near Stonewall Ind Tex.
and have no interest in this claim,
Pheba^{her} Mike

Subscribed and sworn to before
me this 26th Day of August AD, 1896,
Geo. H. J. J.,
Notary Public.

Li re
the Arnold
et al

W. H. H. H.

Filed Oct. 19, 1896

H. W. H. H.
S. H. H. H.

--: BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES :--

In the Matter of the Application for Enrollment in the Chickasaw Nation
of *66*

Comes now the Chickasaw Nation, by its Attorneys, and, without entering any appearance in this action, but declining to do so, only for the purpose of this motion, respectfully requests this Honorable Commission to dismiss the application herein because the copies which were to be served upon the Governor of the Chickasaw Nation, according to the rules of this Commission, were not served or delivered until after the 10th day of September, 1896; and it calls for strict proof of service, in accordance with the rules of this Commission.

WHEREFORE, It prays that the said application be dismissed, for a failure to comply with the rules and regulations adopted by this Honorable Commission, and will ever pray, etc.

THE CHICKASAW NATION,

By Its Attorneys.

Indian Territory,)
Chickasaw Nation.)

George W. Adams, being duly sworn, on oath states that he is the postmaster at Tishomingo, I. T., and was on the 10th day of September, 1896; that the copies registered to the Governor of the Chickasaw Nation of the application for citizenship in the above styled claim were not received at the postoffice at Tishomingo until after the 10th day of September, 1896; but on, to-wit: the 17 day of September, 1896.

Subscribed and sworn to before me on this the ____ day of October, A. D., 1896.

Will R. Adams

Notary Public.

No. _____

—CLAIM OF—

Alexander Harley

FOR CHOCTAW CITIZENSHIP.

ANSWER.

Filed Oct 7, 1896.

H. W. Conway

Deputy.

STUART, GORDON & HAILEY, Attorneys.

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waiving the defenses heretofore set out, defendant for further answer herein says:

The evidence does not show that the applicant was ever registered as a Choctaw freedman.

There is no evidence to show that this claim was ever
been disputed by the Choctaw Nation.

Alexander Harlan.

The Choctaw Nation
By Shuart Gordon Stanley
Its Attorneys.

End

Chac FR 38

Application of
John Kemp ^{tele 60} of
Alth. Kemp
Harriet Kemp
Joda Love
Sim. Love
for enrollment
as Citizens of the
Choctaw Nation

FILED SEPT 9 1936
A. S. L. NON
COM R

1/2" considered
on the ground of

C/S Keen Atty
for Applicants.

APPLICATION FOR ENROLLMENT.

To the Hon. H.L. Dawes, F.C. Armstrong, A.S. McKennon, T.B. Cabinis,
and A.B. Montgomery, United States Commissioners to the Five Civilized
Tribes:-

The undersigned applicant, John Kemp Jr. for and on behalf of
himself and family, make this their application to you for the purpose of
being enrolled as Choctaw Freedmen entitled to citizenship in the Choctaw
Nation.

Applicant states that he is about thirtyfour years of age and resides
in the Chickasaw Nation near the town of Wynnewood, dIndia Territory
that he is a Choctaw Freedman of African descent; that he was born in
the Chickasaw Nation; and was held as a slave by Jackson Kemp a Choctaw I
Indian by blood, in the Chickasaw Nation at the time of the treaty of
Fort Smith when the Choctaw Slaves were set free; that he is a son of
John Kemp and Francis Kemp, both of whom were Choctaw freedmen of Afri-
can descent, and were held as slaves by the said Jackson Kemp at the time
of the said Treaty of Ft Smith.

Applicant further states that ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ his
wife's maiden name was Harriet Love whose age ~~is~~ is about twentyfour years
that she was born in the Chickasaw Nation, and is the daughter of Mary
Love a Chickasaw Freedwoman who was held in the Chickasaw Nation as a
slave at the time of the said Treaty of Ft Smith, by ex- Governor Wm
Guy, a Chickasaw Indian by blood; that he and the said Harriet Love
were legally married in the Chickasaw Nation on or about September, 1892,
and that by reason of said marriage and said union there has been born u
nto them one child named Al Thurman Kemp, whose age is two months, and at
the time of their said marriage his wife had two children whose names
and ages are as follows: Joda Love age five years, Sim Love age three
years.

Wherefore applicant prays that he and his said wife and child
and his two step-children be enrolled as Choctaw freedmen, but if his
said wife and said children are not entitled to be enrolled as Choctaw
Freedmen, that they be enrolled as Chickasaw Freedmen, and that they be
given all other proper relief.

John Kemp Jr.
United States of America
Indian Territory
Southern District

On this the 27th day of August, 1896 personally appear-
ed before me, A.S. Hotchkin, a Notary Public in and for the Southern Dis-
trict of the Indian Territory, *John Kemp Jr.* who being by
me duly sworn upon oath to tell the truth, the whole truth and nothing but
the truth, stated that the facts set forth in the above application
are correct and true. Subscribed and sworn to before me this the 27th
day of August 1896.

Southern
District

A.S. Hotchkin
Notary Public in and for the Southern
District of the Indian Territory.

Affidavit of Harriett Kemp

Indian Territory
Southern District.

Before me the undersigned authority personally appeared Harriett Kemp, who after being duly sworn to tell the truth the whole truth and nothing but the truth, deposes and says: My name is Harriett Kemp, my age about twenty four years, and resides in the Chickasaw Nation near the town of Wynnewood, Ind. Ter.. I am a daughter of Jar Love, who I understand belonged and was held as a slave in the Chickasaw Nation by ex-Governor Wm. Guy, a Chickasaw Indian by blood. I was married to the said John Kemp about September 1890. I had two children, Joda Love age five years and Sir Love age ~~four~~ four years, when I was married to John Kemp and have one child by him named Al Thurman Kemp age two months.

Subscribed and sworn to before me this 18th day of August 1896.

Notary Public in and for the
Southern District of the
Indian Territory.

Southern District

AFFIDAVIT OF JOHN KEMP

Indian Territory
Southern District.

Before me the undersigned authority on this the 1st day of September 1896 personally appeared John Kemp, who after being duly sworn to tell the truth, the whole truth and nothing but the truth, deposes and says: My name is John Kemp, my age about eighty eight years, my residence about one mile north of the town of Wynnewood, Ind. Ter.. I ~~was~~ am a Choctaw ~~Indian~~ Freedman and was held as a slave by Jackson Kemp, a Choctaw Indian by blood, at the time of the Treaty of Fort Smith. I know John Kemp, Jr., he is my son, he is about thirty four years of age and was held as a slave in the Chickasaw Nation by the said Jackson Kemp at the time of the said Treaty of Fort Smith. His mothers name was Francis Kemp, who was also held as a slave by the said Jackson Kemp at the time of the said Treaty. I know Mary Love the mother of the said John Kemp's wife, she is a Chickasaw Freedwoman and ~~was~~ I know that she was held as a slave by Ex-Governor Wm. Guy, a Chickasaw Indian by blood, at the time of the Treaty of Fort Smith.

Attest: *A. P. Oxekin*

John Kemp

Subscribed and sworn to before me this ^{1st} day of September 1896.

A. P. Oxekin

Notary Public in and for the
Southern District of the
Indian Territory.

Southern District

Indian Territory
Southern District

I, Frank L. Robinson do solemnly swear
that on the 8 day of September, 1896, at the Post Office of Wagon Wheel
Indian Territory, I saw Cyrus G. Bean, Attorney for the applicants men-
tioned in the application hereto attached, mail a registered letter to
William Gardner, Governor of the Choctaw Nation at Tushetah, Indian
Territory. I examined said letter before it was mailed and found it to
be a true copy of the application, to the Board of Commissioners, for Con-
firmation of John Kemp Jr. Al Thurman
Kemp, Harriet Kemp, John Love
and John Love
with the affidavits of Harriet Kemp
and John Kemp.

in
her to

REGISTRY RECEIPT.	
Post Office at <u>Wagon Wheel</u>	Rec'd <u>Sept 8</u> 189 <u>6</u>
Registered Letter Parcel No. <u>134</u>	of <u>Leg. m. & Reg.</u>
addressed to <u>Gov. William Gardner</u>	
<u>Choctaw Nation</u>	
<u>W. L. Robinson</u>	

Serial No. 134 was given me
said letter.

Frank L. Robinson
the 8 day of September, 1896
W. L. Robinson
Public, Southern District, I.T.

Indian Territory
Southern District

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I, Frank L. Robinson do solemnly swear
the Post Office of Wymoreville
orney for the applicants men-
mail a registered letter to
Nation at Muskogee, Indian
it was mailed and found it to
a Dawes Commission, for Citi-
Al Thurman
to John Love
with Kemp

here to attached was given him as receipt for said letter.
Frank L. Robinson

Subscribed and sworn to before me this the 8 day of September, 1896
W. J. L. L. L.
Notary Public, Southern District, I.T.

Southern
District

Jefferson Gardner, Governor of the Choctaw Nation at Tuskegee, Indian Territory. I examined said letter before it was mailed and found it to be a correct copy of the application to the James Commission for Citizenship of Leban Stewart Jr. Al. Thompson Leah Stewart Adams John & Ore and Orrin & Ore Harriet Kemp and John Kemp together with the affidavits of

in support
here to

REGISTRY RECEIPT.

Post Office at WILKINSVILLE
Registered Letter Parcel No. 134 Rec'd Sept 8 1894
of Leyrus & Kiger
addressed to Gov. Jefferson Gardner
Tuskegee, Ind.
W.B. Lewis P.M.

Serial No. 134 XXXXXXXX
said letter.

Frank F. Adams

the 8 day of September, 1896
W.B. Lewis
Post Office, Southern District, I.T.

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NO.....

CLAIM OF
JOHN KEMP.

FOR CHOCTAW CITIZENSHIP.

ANSWER.

*Filed Oct 9, 1896
J. A. Keenan
Comr.*

STUART, GORDON & HAILEY, Attorneys.

IN THE MATTER OF THE CLAIM OF

for citizenship in the Choctaw Nation.

Now comes the Choctaw Nation by its lawful attorneys and says:

FIRST. That this Honorable Commission has no power and jurisdiction to hear and determine the issues herein involved because the law creating such commission is unconstitutional and void.

SECOND. The Choctaw Nation enters its protest against the hearing of this cause because the methods of procedure adopted by this Commission are unjust, unfair and productive of great fraud and wrong and the form and method of trial prescribed by said Commission are contrary to the Constitution and laws of the United States.

THIRD. The Choctaw Nation protests against a hearing and determination of this cause for the reason that the time prescribed by said Commission within which this Nation must answer and adduce its proof is so limited as to amount to a denial of justice.

FOURTH. The Choctaw Nation further says that this Commission ought not to entertain this cause for the reason that it does not appear that the applicant herein has applied for citizenship to the legally constituted tribunal designated by the Choctaw Nation for the trial of questions of disputed citizenship.

FIFTH. Defendant says that the evidence adduced by the claimant in this case is not sufficient to establish his citizenship in the Choctaw Nation.

SIXTH. Defendant says that this Commission has no power to enroll the applicant herein because it appears that said applicant claims to be a citizen of the Choctaw Nation by intermarriage and it does not appear that his rights as such intermarried citizen have been disputed by the Choctaw Nation.

SEVENTH. Defendant says that the applicant herein should not be enrolled because he has not shown by his evidence that he has not forfeited his rights as such citizen by abandonment or remarriage.

EIGHTH. And not waving the defenses heretofore set out, defendant for further answer herein says:

The Choctaw Nation
By *Stuart Gordon Bailey*
Its Attorneys.

End

Choc FR 39

1896

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End

**END
OF
REEL**



